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Regulations

TITLE 7—AGRICULTURE

Chapter II—War Food Administration (Distribution Orders)

[Suspension Order, Docket No. FDA-NE-60]

PART 1590—SUSPENSION ORDERS

SUNNYDALE ICE CREAM CO., INC.

An order was issued in the above-entitled matter on September 27, 1943, which, in part, limited the utilization of milk solids by Sunnydale Ice Cream Co., Inc., (the "respondent") in the production or manufacture of frozen dairy foods or mix during the allocation periods of May and June 1944, pursuant to Food Distribution Order 8. On May 25, 1944, § 1590.5 (c) (2) of this order was amended to increase the respondent's permissible utilization of milk solids in the production or manufacture of frozen dairy foods or mix for the quota periods of May and June 1944, respectively. On May 23, 1944, War Food Order 8 (formerly designated as Food Distribution Order 8) was further amended to provide, in part, that the permissible utilization of milk solids in the production or the manufacture of frozen dairy foods or mix during the allocation period, June 1944, be increased from 75 percent total milk solids utilized during the corresponding portion of the base period to 85 percent of the total milk solids utilized during the corresponding portion of the base period. In the interests of securing the efficient use and distribution of dairy products to meet war and essential civilian needs, it has been concluded that this general increase in the permissible utilization of milk solids should be extended to Sunnydale Ice Cream Co., Inc.

It is therefore ordered, That:

Section 1590.6 *Suspension order against Sunnydale Ice Cream Co., Inc.* is amended as follows:

Paragraph (c) (5) of the order heretofore issued in the above-entitled matter on September 27, 1943 (8 F.R. 15385), as amended by an order issued on May 25, 1944 (9 F.R. 5630), be, and

the same hereby is, further amended to read as follows:

(5) During the allocation period, June, 1944, respondent's utilization of milk solids in the production or manufacture of mix for sale as mix shall not exceed 6,193 pounds, and in the production or manufacture of frozen dairy foods shall not exceed 13,604 pounds.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; Delegations of Authority 8 F.R. 13696, 16497 and 9 F.R. 6202)

Issued this 23d day of June 1944.

C. W. KITCHEN,
Deputy Director,
Office of Distribution.

[F. R. Doc. 44-9181; Filed, June 23, 1944; 3:37 p. m.]

[Suspension Order Docket No. FDA-NE-64]

PART 1590—SUSPENSION ORDERS

DEEMS ICE CREAM CORPORATION

An order was issued in the above-entitled matter on October 4, 1943, which, in part, limited the utilization of milk solids by Deems Ice Cream Corporation, (the "respondent") in the production or manufacture of frozen dairy foods or mix during the allocation periods of May and June 1944, pursuant to Food Distribution Order 8. On May 25, 1944, § 1590.5 (c) (2) of this order was amended to increase the respondent's permissible utilization of milk solids in the production or manufacture of frozen dairy foods or mix for the quota periods of May and June 1944, respectively. On May 23, 1944, War Food Order 8 (formerly designated as Food Distribution Order 8) was further amended to provide, in part, that the permissible utilization of milk solids in the production or the manufacture of frozen dairy foods or mix during the allocation period, June 1944, be increased from 75 percent total milk solids utilized during the corresponding portion of the base period to 85 percent of the total milk solids utilized during the corresponding portion of the base period. In the inter-

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NOTICE

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- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.

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Issued this 23d day of June 1944.

C. W. KITCHEN,
Deputy Director,
Office of Distribution.[F. R. Doc. 44-9182; Filed, June 23, 1944;
3:37 p. m.]

[WFO 103]

PART 1468—GRAIN

CORN SET ASIDE

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of corn for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1468.10 *Corn required to be set aside—(a) Definitions.* When used in this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not, and includes any State or political subdivision or agency thereof.

(2) "Corn" means yellow, white, or mixed shelled corn, or snap corn, of the dent or flint varieties, whole or crushed or mixed with other whole grains, excluding, however, seed corn, popcorn, grain sorghums, sweet corn, broom corn, corn used for canning purposes, and packaged corn meal, corn grits, or other corn products packaged for human consumption.

(3) "Elevator operator" means any person who owns or operates an elevator, warehouse, or barge or carloading facility, and who receives corn for resale.

(4) "Commodity" means the Commodity Credit Corporation.

(5) "Authorized purchaser" means a person or agency of the United States, authorized by Commodity, under such terms and conditions as it may impose with respect to the use or disposition thereof, to purchase corn which has been set aside under this order.

(6) "Order Administrator" means the Chief of the Agricultural Adjustment Agency, War Food Administration.

(b) *Quantity.* Every elevator operator and every other person shall set aside, reserve, and hold for sale and shipment to authorized purchasers:

(1) All corn which is purchased by or delivered to him in fulfillment of a contract or pledge between a producer thereof, located in the area designated in War Food Order No. 98, and Commodity;

(2) All corn in storage or in transit on the effective date of this order and (i) received by him in his capacity as a designated agent of Commodity under War Food Order No. 98,¹ or (ii) set aside under the provisions of War Food Order No. 96² or War Food Order No. 96.1;³ and

¹ 9 F.R. 4379.² 9 F.R. 3253, 4319.³ 9 F.R. 3628, 4319.

(3) Such other corn as may be specified by the Order Administrator.

(c) *Releases.* The Order Administrator may, by individual notice and not by general order, release any corn which has been set aside, reserved, and held under this order. Corn so released may be disposed of at the option of the holder thereof.

(d) *Authorized purchasers.* Every authorized purchaser shall comply with all the terms and conditions specified in such authorization with respect to the use or disposition of corn, and any failure to comply with such terms and conditions shall constitute a violation of this order.

(e) *Contracts.* The provisions of this order and of all orders or regulations issued pursuant thereto shall be observed without regard to contracts heretofore or hereafter made, or any rights accrued or payments made thereunder.

(f) *Records and reports.* (1) The Order Administrator shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least one year (or for such period of time as the Order Administrator may designate), maintain an accurate record of his transactions in corn.

(g) *Audits and inspections.* The Order Administrator shall be entitled to make such audit or inspection of the books, records and other writings, premises, or stocks of corn of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(h) *Request for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a request for relief with the Order Administrator. All requests shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. Such requests shall be acted upon by the Order Administrator or any employee of the Agricultural Adjustment Agency designated by him.

(i) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using corn or any other material subject to priority or allocation control by any governmental agency. Any person who willfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty, created by, or to enjoin any violation of, any provision of this order.

(j) *Delegation of authority.* The administration of this order, and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Order Administrator.

ests of assuring the efficient use and distribution of dairy products to meet war and essential civilian needs, it has been concluded that this general increase in the permissible utilization of milk solids should be extended to Deems Ice Cream Corporation.

It is therefore ordered, That:

Section 1590.5 *Suspension order against Deems Ice Cream Corporation* is amended as follows:

Paragraph (c) (2) of the order heretofore issued in the above entitled matter on October 4, 1943 (8 F.R. 13551) as amended by an order issued on May 25, 1944 (9 F.R. 5629), be, and the same hereby is, further amended to read as follows:

(2) During the allocation periods April, May and June, 1944, respectively, the respondent's utilization of milk solids in the production or manufacture of frozen dairy foods or mix shall not exceed 2,892 lbs., 9,666 lbs., and 12,461 lbs., respectively.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; Delegations of Authority 8 F.R. 13696, 16497 and 9 F.R. 6202)

The Order Administrator is authorized to redelegate to any person within the War Food Administration any or all of the authority vested in him by this order.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Order Administrator, be addressed to Order Administrator, War Food Order No. 103, Agricultural Adjustment Agency, United States Department of Agriculture, Washington 25, D. C., Ref: WFO 103.

(l) *Effective date.* This order shall become effective at 12:01 a. m., c. w. t., June 24, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and all subsequent reporting and record-keeping requirements of this order will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 23d day of June 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-9216; Filed, June 24, 1944;
11:23 a. m.]

[WFO 54-4, Amdt. 1]

PART 1401—DAIRY PRODUCTS

DRIED SKIM MILK

War Food Order No. 54-4, issued by the Acting Director of Distribution on May 1, 1944 (9 F.R. 4675), is amended as follows:

By deleting the provisions of § 1401.179 (b) and inserting, in lieu thereof, the following:

(b) *Percentages of dried skim milk to be set aside.* (1) Each person who is required to set aside dried skim milk pursuant to the provisions of WFO 54 shall set aside in the calendar month of June 1944 (i) a quantity of spray dried skim milk equal to 50 percent of all spray dried skim milk produced by such person during such month, and (ii) a quantity of roller dried skim milk equal to 35 percent of all roller dried skim milk produced by such person during such month.

(2) Each person who is required to set aside dried skim milk pursuant to the provisions of WFO 54 shall set aside in the calendar month of July 1944, and in each succeeding calendar month, (i) a quantity of spray dried skim milk equal to 75 percent of all spray dried skim milk produced by such person during each such month, and (ii) a quantity of roller dried skim milk equal to 50 percent of all roller dried skim milk produced by such person during each such month.

This order shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to any violation of said War Food Order No. 54-4, rights accrued, liabilities incurred, or appeals taken thereunder, prior to the effective time of this amendment, said War Food Order No. 54-4 shall

be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 54, 8 F.R. 7210, 9 F.R. 2875, 4321, 4319)

Issued this 22d day of June 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-9183; Filed, June 23, 1944;
3:39 p. m.]

[WFO 79-74, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SAN JOSE, CALIF., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4321, 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-74 (8 F.R. 14369, 9 F.R. 4321, 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the San Jose, California, milk sales area, is hereby further amended by deleting the description of the sales area in § 1401.84 (b) and inserting, in lieu thereof, the following:

That portion of Santa Clara County beginning at a point on the western boundary of Santa Clara County and a point on the Santa Cruz County boundary which coincides with the intersection of the township line between Townships 7 S and 8 S, thence in an easterly direction along said township line to the intersection of the township line between Range 1 E. M. D. and Range 2 E. M. D., thence in a northerly direction along said township line to the north boundary of Santa Clara County, thence in a westerly direction along said boundary dividing Santa Clara and Alameda Counties to the intersection of the San Mateo County line, thence in a southwesterly, southerly and southeasterly direction along the county line between Santa Clara and San Mateo Counties to the point of intersection with the Santa Cruz County boundary, thence in a southeasterly direction along the county line between Santa Clara and Santa Cruz counties to the point of beginning, including the following towns and cities: San Jose, Santa Clara, Sunnyvale, Mountain View, and Palo Alto, all within the County of Santa Clara, State of California.

The provisions of this amendment shall be effective as of 12:01 a. m., e. w. t., July 1, 1944. With respect to violations of said War Food Order No. 79-74, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said War Food Order No. 79-74, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4321, 4319)

Issued this 23d day of June 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-9184; Filed, June 23, 1944;
3:39 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

Subchapter D—Nationality Regulations

NATURALIZATION, MISCELLANEOUS AMENDMENTS

The following amendments to Title 8, Chapter I, Code of Federal Regulations, are hereby prescribed:

The following new part is added:

PART 325—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: ALIENS ARRIVING IN THE UNITED STATES PRIOR TO SIXTEENTH BIRTHDAY

Sec.

325.1 Persons eligible.

325.2 Procedural requirements.

325.3 Proof of requirements.

AUTHORITY: §§ 325.1 to 325.3, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 37 (a), 54 Stat. 675, 8 U.S.C. 458, 727; 8 CFR, Cum. Supp., 90.1; applies 54 Stat. 715; 8 U.S.C. 375a.

§ 325.1 *Persons eligible.* Any alien, eligible to citizenship, who lawfully entered the United States for permanent residence when less than 16 years of age, may be naturalized upon compliance with all the requirements of the naturalization laws except that no declaration of intention shall be required. The petition for naturalization shall be filed within one year after such alien attains the age of 21 years.

§ 325.2 *Procedural requirements.* An application to file a petition for naturalization under § 325.1 shall be made on Form N-400. The petition shall be filed on Form N-405 in accordance with the requirements of Part 370 of this chapter. Form N-405 shall be altered by the clerk of court as provided in § 361.7 (a). The petition shall be further altered by the clerk of court by inserting immediately after averment 12, the words "Filed under the Act of July 2, 1940".

§ 325.3 *Proof of requirements.* Verification of the petition for naturalization and proof of residence and the other requirements prescribed by § 325.1 shall be made in the manner provided by Parts 370 and 373 of this chapter. In addition, the petitioner shall prove, by any evidence satisfactory to the naturalization court, that he was under the age of 16 years at the time of his lawful entry to the United States for permanent residence and that his petition was filed within one year after he had attained the age of 21 years. In presenting proof of his age, the petitioner shall be entitled to the benefit of any records concerning him which are in the custody of the Service.

PART 330—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: FORMER UNITED STATES CITIZENS

Section 330.6 is amended to read as follows:

§ 330.6 *Person who lost citizenship of the United States through service in one of the Allied Armies during the First or Second World War.* A person who, while a citizen of the United States and during the First or Second World War, entered the military or naval service of any country at war with a country with which the United States was or is at war, who lost citizenship of the United States

by reason of any oath or obligation taken for the purpose of entering such service, or by reason of entering or serving in such armed forces, and who intends to reside permanently in the United States, may be naturalized by taking the oath of renunciation and allegiance specified in section 335 of the Nationality Act of 1940. For the purposes of this section, the Second World War shall be deemed to have commenced on September 1, 1939, and shall continue until such time as the United States shall cease to be in a state of war. Such oath may be taken before any naturalization court, and any person described in this section who has lost United States citizenship during the Second World War may also take the oath before any diplomatic or consular officer of the United States abroad. Application to take such oath before the court shall be made on Form N-409 which shall be executed in quadruplicate and shall be given a regular petition for naturalization number by the clerk of court. The original of Form N-409 shall be retained by the clerk of court as the court record and the duplicate, triplicate, and quadruplicate shall be forwarded to the appropriate district director. The district director shall retain the quadruplicate and forward the duplicate and triplicate Form N-409 to the Commissioner who will transmit the triplicate to the Department of State. The taking of such oath before a diplomatic or consular officer abroad shall be in accordance with such regulations as may be prescribed by the Department of State. Any person who has been naturalized a citizen of the United States under this section may make application for a certificate of naturalization in the manner provided in Part 378. (Secs. 323 (as amended by the Act of April 2, 1942, 56 Stat. 198, 8 U.S.C. 723), 335, 54 Stat. 1149, 1157, 8 U.S.C. 723, 735)

The following section is added:

§ 330.8 *Procedure.* An alien desiring to file a petition for naturalization under § 330.1, 330.4, 330.5, or 330.7 of this part shall make application on Form N-400. A petition for naturalization filed under any such section shall be filed on Form N-405.

PART 335—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: ALIEN ENEMIES

Section 335.3 (b) is amended to read as follows:

(b) The district director of Immigration and Naturalization may, in his discretion and upon the request of the petitioner, waive the ninety days' notice required by paragraph (a) of this section. Such waiver may be granted at any time after the petition has been filed and either before or after the clerk's notice has been given and the ninety-day period has commenced. Where a petitioner requests a waiver of the ninety days' notice, the case shall be investigated in accordance with § 335.4 and submitted by the naturalization officer or examiner to the district director with a recommendation as to whether a waiver should be granted. If a waiver is granted, notice thereof shall be executed by the district director on Form N-424 and filed with the clerk of the naturaliza-

tion court. One copy of Form N-424 shall be retained in the field office file and one copy forwarded to the Central Office. (Secs. 326, 703, 54 Stat. 1150, 56 Stat. 183; 8 U.S.C. 726, 1003)

Section 335.5 is amended to read as follows:

§ 335.5 *Exception from alien enemy classification.* (a) An alien enemy who does not come within one or more of the classes described in § 335.2 and who has filed a petition for naturalization may, in the discretion of the President of the United States, be excepted from such classification of alien enemy, whereupon he shall have the privilege of having a final hearing upon his petition for naturalization. The President of the United States has ordered excepted from the classification of alien enemy all persons whom the Attorney General, the Commissioner of Immigration and Naturalization, or any district director of the Immigration and Naturalization Service shall, after investigation fully establishing their loyalty, certify as persons loyal to the United States. Application for such exception shall be made on Form N-436 and shall be filed with the appropriate office of the Immigration and Naturalization Service. Thereupon the district director shall cause a full and complete investigation to be made of the loyalty of such applicant. If, after such investigation, the district director is satisfied of the loyalty to the United States of the petitioner, he shall issue a certificate of loyalty on Form N-438 in triplicate, the original to be filed in the appropriate naturalization court, one copy to be retained in the field office file, and one copy to be transmitted to the Central Office. The clerk of the naturalization court need not file the certificate of loyalty with and make it a part of the petition for naturalization but may file it in some other orderly manner. Where an application for exception from the classification of alien enemy is denied by the district director, the entire file shall immediately be forwarded to the Central Office with a brief statement of the grounds on which such denial is based.

(b) An alien enemy who has been certified as a person loyal to the United States in the manner prescribed in the preceding paragraph shall have the privilege of having a final hearing upon his petition for naturalization without being subject to the provisions of §§ 335.3 and 335.4. (Sec. 326 (b) (d), 54 Stat. 1150, 8 U.S.C. 726; Executive Order 9372)

The following two new parts are added:

PART 338—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: MEMBERS OR VETERANS OF THE UNITED STATES ARMED FORCES DURING THE SECOND WORLD WAR WITHIN JURISDICTION OF A NATURALIZATION COURT

Sec.

338.1 Persons eligible.

338.2 Exemptions and fees.

338.3 Certificate of arrival.

338.4 Verification of the petition for naturalization.

338.5 Proof of service in the armed forces; final hearing.

338.6 Procedure.

Authority: §§ 338.1 to 338.6, inclusive, issued under sec. 327, 54 Stat. 1159, sec. 703, 59 Stat. 183, sec. 37 (a), 54 Stat. 675; 8 U.S.C. 727, 1005, 453; 8 CFR, Cum. Supp. 60.1; applies sec. 701, 704, 59 Stat. 182, 183; 8 U.S.C. 1001, 1004.

§ 330.1 *Persons eligible.* Any person not a citizen of the United States, regardless of age, who is serving or has served honorably in the military or naval forces of the United States during the Second World War and who, having been lawfully admitted to the United States, including its territories and possessions, shall have been at the time of his enlistment or induction a resident thereof, may be naturalized under the provisions of section 701 of the Nationality Act of 1940, upon his petition filed not later than one year after December 31, 1944, or not later than one year after the termination of the effective period of the Second War Powers Act, 1942 (55 Stat. 176). The provisions of section 701 of the Nationality Act of 1940 shall not apply (1) to any person who during the Second World War is dishonorably discharged from the military or naval forces or is discharged therefrom on account of his alienage, or (2) to any conscientious objector who performed no military duty whatever or refused to wear the uniform. For the purposes of this part, the Second World War shall be deemed to have commenced on September 1, 1939.

§ 338.2 *Exemptions and fees.* A person described in § 338.1 of this part may file a petition for naturalization in any naturalization court, without regard to his place of residence, and no period of residence within the United States or any State shall be required. No declaration of intention shall be required to be filed with the petition. The petitioner shall not be required to speak the English language, sign his petition in his own handwriting, or meet any educational test. The provisions of sections 303 and 326 of the Nationality Act of 1940, relating respectively to racial restrictions upon naturalization and to the naturalization of alien enemies, shall not apply to petitions for naturalization filed under this part. No fee shall be collected from such petitioner for filing such petition for naturalization, for the final hearing thereon, or for the issuance of a certificate of naturalization if such petition is granted.

§ 338.3 *Certificate of arrival.* If a petitioner for naturalization under § 338.1 of this part entered the United States, its territories, or possessions after June 29, 1906, a certificate of arrival shall be filed with and made a part of the petition for naturalization at the time the petition is filed. Such certificate of arrival shall be issued in accordance with § 363.1 of this chapter, and in the event the entry was not for permanent residence, the certificate of arrival shall state the conditions under which the petitioner was admitted to the United States, its territories, or possessions. No fee shall be collected from the petitioner for the issuance of a certificate of arrival.

§ 338.4 *Verification of the petition for naturalization.* A petition for naturaliza-

zation filed in accordance with § 338.1 of this part shall be verified, but for no specified period of time, by at least two credible witnesses, citizens of the United States, as provided in § 370.4 of this chapter, and the verifying witnesses shall also testify at the final hearing unless excused therefrom as provided in § 373.2 of this chapter.

§ 338.5 *Proof of service in the armed forces; final hearing.* The service of a petitioner under § 338.1 of this part in the military or naval forces of the United States may be proved either (1) by affidavits, forming a part of the petition for naturalization, of at least two credible witnesses, citizens of the United States, members or former members of the United States military or naval forces during the Second World War of the noncommissioned or warrant officer grade or rating, or higher, who may be the same two witnesses described in § 338.4 of this part, or (2) by a duly authenticated copy of the record of the Federal executive department having custody of the record of petitioner's service. The provisions of section 334 (c) of the Nationality Act of 1940, relating to final hearings on petitions for naturalization and the issuance of certificates of naturalization within thirty days after the filing of the petition and within sixty days preceding the holding of any general election within the territorial jurisdiction of the naturalization court, shall not apply to petitions for naturalization filed under this part if prior to the filing of the petition the petitioner and the verifying witnesses described in § 338.4 of this part, and in § 338.5 of this part if the required service has been proved by the affidavits of witnesses, have appeared before and been examined by a representative of the Immigration and Naturalization Service.

§ 338.6 *Procedure.* An application to file a petition for naturalization under § 338.1 of this part shall be made on Form N-403 if the applicant is serving in the military or naval forces at the time the application is filed. The petition for naturalization of a person so serving shall be filed on Form N-410. Application to file a petition for naturalization under § 338.1 of this part shall be made on Form N-400 if the applicant has been discharged before the application is filed. The petition for naturalization of a discharged person shall be filed on Form N-412.

PART 339—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: MEMBERS OF THE UNITED STATES ARMED FORCES DURING THE SECOND WORLD WAR NOT WITHIN JURISDICTION OF ANY NATURALIZATION COURT

Sec.	
339.1	Persons eligible.
339.2	Exemptions and fees.
339.3	Verification of the petition for naturalization.
339.4	Proof of service in the armed forces.
339.5	Oath of renunciation and allegiance.
339.6	Renunciation of title or order of nobility.
339.7	Change of name.
339.8	Procedure.
339.9	Issuance of certificate of naturalization.

Sec.
339.10 Disposition of original and duplicate petitions for naturalization, and original, duplicate, and triplicate certificates of naturalization.

AUTHORITY: §§ 339.1 to 339.10, inclusive, issued under sec. 327, 54 Stat. 1150, sec. 705, 56 Stat. 183, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 458, 727, 1005; 8 CFR, Cum. Supp., 90.1; applies secs. 702, 704, 56 Stat. 182, 183; 8 U.S.C. 1002, 1004.

§ 339.1 *Persons eligible.* Any person not a citizen of the United States, regardless of age, who while serving honorably in the military or naval forces of the United States during the Second World War is not within the jurisdiction of any court authorized to naturalize aliens and who, having been lawfully admitted to the United States, including its territories and possessions, shall have been at the time of his enlistment or induction a resident thereof, may be naturalized under the provisions of section 702 of the Nationality Act of 1940, upon his petition filed not later than one year after December 31, 1944, or not later than one year after the termination of the effective period of the Second War Powers Act, 1942 (56 Stat. 176). Naturalization may be granted under this part at any place outside the naturalization jurisdiction of any naturalization court located in continental United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States. The provisions of section 702 of the Nationality Act of 1940 shall not apply (1) to any person who during the Second World War is dishonorably discharged from the military or naval forces or is discharged therefrom on account of his alienage, or (2) to any conscientious objector who performed no military duty whatever or refused to wear the uniform. For the purposes of this part, the Second World War shall be deemed to have commenced on September 1, 1939.

§ 339.2 *Exemptions and fees.* A person described in § 339.1 of this part may file a petition for naturalization without regard to the period of his residence within the United States or any State. No declaration of intention shall be required to be filed with the petition. The petitioner shall not be required to speak the English language, sign the petition in his own handwriting, or meet any educational test. The provisions of sections 303 and 326 of the Nationality Act of 1940, relating respectively to racial restrictions upon naturalization and to the naturalization of alien enemies, shall not apply to petitions for naturalization filed under this part. No fee shall be collected from such petitioner for filing such petition for naturalization, for the final hearing thereon, or for the issuance of a certificate of naturalization if such petition is granted.

§ 339.3 *Verification of the petition for naturalization.* A petition for naturalization filed in accordance with § 339.1 of this part shall be verified, but for no specified period of time, by at least two credible witnesses, citizens of the United States, as provided in § 370.4 of this chapter, and the verifying witnesses shall also testify at the final hearing unless ex-

cused therefrom as provided in § 373.2 of this chapter.

§ 339.4 *Proof of service in the armed forces.* The service of a petitioner for naturalization under § 339.1 in the military or naval forces of the United States may be proved either (1) by affidavits, forming a part of the petition for naturalization, of at least two credible witnesses, citizens of the United States, members or former members of the military or naval forces of the United States during the Second World War who are of the noncommissioned or warrant officer grade or rating, or higher, and who may be the same two witnesses described in § 339.3 of this part or (2) by a duly authenticated copy of the record of the Federal executive department having custody of the record of the petitioner's service.

§ 339.5 *Oath of renunciation and allegiance.* A petitioner for naturalization under § 339.1, before being admitted to citizenship, shall take before the representative of the Immigration and Naturalization Service designated for that purpose by the Commissioner of Immigration and Naturalization the oath of renunciation and allegiance prescribed by section 335 of the Nationality Act of 1940.

§ 339.6 *Renunciation of title or order of nobility.* A petitioner for naturalization under § 339.1 who has borne any hereditary title or has been of any of the orders of nobility in any foreign state, before being admitted to citizenship, in addition to taking the oath of allegiance prescribed by § 339.5 of this part, shall make under oath before such designated representative of the Immigration and Naturalization Service an express renunciation of such title or order of nobility, and such renunciation shall be recorded as a part of such proceedings.

§ 339.7 *Change of name.* At the time and as a part of the naturalization of any person under the provisions of § 339.1 the designated representative of the Commissioner may upon the prayer of the petitioner included in the petition for naturalization, make a decree in his discretion changing the name of such person and issue the certificate of naturalization in accordance therewith.

§ 339.8 *Procedure—(a) Petition for naturalization form.* An applicant for naturalization under § 339.1 shall make before, and file with, the designated representative of the Immigration and Naturalization Service a sworn petition in writing on Form N-411, in duplicate, signed by the applicant and duly verified by witnesses.

(b) *Petition for naturalization; order and jurat of designated representative of the Immigration and Naturalization Service.* The petition shall contain a certification of the petitioner's lawful admission to the United States, including its territories and possessions, and the jurat and order executed by the designated representative of the Immigration and Naturalization Service.

(c) *Procedure; final hearing.* If a petitioner under § 339.1 of this part and the verifying witnesses described in

§ 339.3, and also the witnesses described in § 339.4 if the required service has been proved by the affidavits of witnesses, have appeared before and been examined by the designated representative of the Immigration and Naturalization Service prior to the filing of the petition for naturalization, the petitioner may be naturalized immediately.

§ 339.9 *Issuance of certificate of naturalization.* A member of the armed forces of the United States naturalized under the provisions of § 339.1 shall have issued to him by the designated representative of the Immigration and Naturalization Service as a part of the naturalization proceedings the original of the certificate of naturalization.

§ 339.10 *Disposition of original and duplicate petitions for naturalization, and original, duplicate, and triplicate certificates of naturalization.* Petitions for naturalization filed and certificates of naturalization issued under the provisions of §§ 339.1, 339.8, and 339.9 of this part shall be numbered in series separate from other petitions and certificates. The original and duplicate of a petition for naturalization filed under §§ 339.1 and 339.8 shall bear the same petition number and, together with the duplicate and triplicate of the certificate of naturalization, shall, after completion of action thereon by the designated representative of the Immigration and Naturalization Service, be transmitted by him direct to the Commissioner as soon as practicable. Each duplicate petition and each duplicate certificate shall thereafter be transmitted by the Commissioner to the clerk of the United States District Court in the district in which the petitioner is a resident, or, if the petitioner is not a resident of any place within the jurisdiction of a United States District Court, to the Clerk of the United States District Court for the District of Columbia, Washington, D. C., and shall be filed by the clerk as a part of the records of the court. Each original petition for naturalization and triplicate certificate of naturalization shall be filed permanently by the Commissioner as a part of the records of the Immigration and Naturalization Service.

PART 360—CLERKS OF NATURALIZATION COURTS AND THEIR DUTIES

Section 360.9 is amended to read as follows:

§ 360.9 *Report of and accounting for spoiled and void papers.* (a) Where a declaration of intention, petition for naturalization, or certificate of naturalization is damaged, mutilated, or defaced in any manner, or is executed only partially and is never actually filed by the clerk of court, the original and all copies of such paper are to be marked "spoiled" and transmitted in the manner described in § 360.3 with the monthly report of the clerk of court on Form N-4. If a number has been allotted to such a declaration of intention or petition for naturalization, that number may be assigned to the next succeeding declaration of intention or petition for naturalization, as the case may be.

(b) Where a completely executed declaration of intention or petition for naturalization is filed by a clerk of court and it later develops that such document is materially defective, it, nevertheless, must remain a part of the records of the court and the copies thereof must be disposed of as provided in § 360.3 and the fee accounted for in accordance with the provisions of §§ 360.6, 360.7, and 360.8. The district director who receives such defective paper will inform the declarant or petitioner of the defect, and, if such defective paper is a petition for naturalization, the petitioner will be further informed of the desirability of permitting the paper to be marked "void" in order that, if possible, the fee paid therefor may be refunded. At the same time such petitioner is to be informed that, if he so desires, he may exercise his right to have the petition submitted to the court for a judicial ruling, in which event no refund of the fee can be made. Where such petitioner requests that his petition be marked "void", such request shall be addressed to the Commissioner in triplicate. One copy of such request shall be attached to each copy of the petition. Clerks of courts in their "Monthly Reports" on Form N-4 and "Abstract of collections" on Form N-7, shall separately list void declarations and petitions, according to the number, if any, assigned to them, and indicate by appropriate notation that same are "void".

PART 361—OFFICIAL FORMS

The introductory sentence and paragraphs (a) and (b) of § 361.7 are amended to read as follows:

§ 361.7 *Amendment of forms for petitions for naturalization.* The official form for petitions for naturalization shall be altered by the clerk of court as follows:

(a) *Exemption from declaration of intention.* Where a declaration of intention is not required to be filed with the clerk of court at the filing of the petition for naturalization and the petition is filed on Form N-405, by striking out all of allegation 13, and, in the certification following the jurat, by striking out "together with Declaration of Intention No. _____ of such petitioner".

(b) *Exemption from certificate of arrival.* Where a certificate of arrival is not required to be filed with the clerk of court at the filing of the petition for naturalization, by striking out portions as follows: (1) If petition is filed on Form N-405, in allegation 11 the words "as shown by the certificate of my arrival attached to this petition" and, in the certification following the jurat, the words "Certificate of Arrival No. _____ from the Immigration and Naturalization Service, showing the lawful entry for permanent residence of the petitioner above named, together with". (2) If petition is filed on Form N-406, in allegation 11 the words "as shown by the certificate of my arrival attached to this petition" and the entire certification following the jurat. (3) If the petition is filed on Form N-410, in allegation 8 the words "as shown by the certificate of my arrival attached to this petition" and the entire certification of the clerk immedi-

ately following the jurat. (4) If the petition is filed on Form N-412, in allegation 11 the words "as shown by the certificate of my arrival attached to this petition" and the entire certification of the clerk immediately following the jurat.

The second sentence of § 361.8 is amended to read as follows:

Except as authorized by §§ 325.2, 361.6, and 361.7, no requests or suggestions to clerks of courts to make corrections in a declaration of intention or petition for naturalization shall be made by any member of the Immigration and Naturalization Service.

PART 385—REVOCATION OF RECORDS CREATED AND OF NATURALIZATION AND CITIZENSHIP DOCUMENTS ISSUED BY THE COMMISSIONER

The first sentence of § 385.1 is amended to read as follows:

If, at any time after a certificate of lawful entry has been issued under Part 362, or a certificate of naturalization has been issued under Part 378, or a certificate of citizenship has been issued under Part 379, or a special certificate of naturalization has been issued under Part 380, or a new certificate in changed name or a new declaration of intention or a new certificate of naturalization or of citizenship has been issued under Part 382, or a new certified copy of the proceedings has been issued under § 382.6 or § 383.6, evidence becomes available to a district director of Immigration and Naturalization indicating that such record or document was obtained illegally or fraudulently, a complete report shall be promptly submitted to the Central Office by the district director, with comment and recommendation.

L. PAUL WININGS,
Acting Commissioner of
Immigration and Naturalization.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 44-9253; Filed, July 24, 1944;
4:45 p.m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS AND CHAPLAINS

REAPPOINTMENT OF OFFICERS AFTER DISCHARGE FOR PHYSICAL DISABILITY

Section 73.222 is rescinded and the following substituted therefor:

§ 73.222 *Appointment of former officers and R. O. T. C. graduates, who previously, were found physically disqualified.* (a) A former commissioned officer of the Army who was honorably discharged because of physical disqualification only, subsequent to 31 August 1940, will, on application to The Adjutant General, be reappointed in the Officers' Reserve Corps and/or the Army of the

United States in the grade or grades held at the time of discharge, including the highest temporary grade in the Army of the United States or Army of the United States (Air Corps) as follows:

(1) A former Reserve officer will be appointed in the Inactive Reserve in his former Reserve grade and in his highest temporary Army of the United States grade (if any).

(2) A former officer of the National Guard of the United States will be appointed in the Inactive Reserve in his former National Guard of the United States grade and in his highest temporary Army of the United States grade (if any).

(3) A former Army of the United States officer will be reappointed in his highest temporary Army of the United States grade and continued on an inactive status during the present emergency and 6 months thereafter.

(4) (i) A former commissioned officer who is in the active service in an enlisted or warrant officer capacity, if found physically qualified for retention in the military service will:

(a) If discharged from Officers' Reserve Corps or National Guard of the United States, be appointed in the Officers' Reserve Corps in the grade and section in which discharged from Officers' Reserve Corps or National Guard of the United States and to the highest temporary grade, if any, held in the Army of the United States at the time of discharge, or

(b) If discharged from temporary commission in the Army of the United States, be appointed in the Army of the United States in the grade held at the time of discharge.

(ii) He will be ordered to active duty in an assignment commensurate to his grade, preferably in the arm or service to which assigned at time of discharge. These actions will be taken regardless of the lack of a procurement objective or position vacancy, and irrespective of whether or not the officer was on active duty at the time of his discharge. If found not physically qualified for retention in the military service he will be discharged from his enlisted or warrant officer status and tendered an appointment in keeping with the appropriate one of the procedures set forth in subparagraphs (1), (2) and (3) above, but will not be ordered to active duty.

(b) Those officers in the Inactive Reserve Corps who have more than 15 years' service and who held a higher temporary grade in the Army of the United States at the time of transfer to the Inactive Reserve Corps will, upon application to The Adjutant General, be reappointed in their highest temporary Army of the United States grade.

(c) That officers, except officers of the Regular Army, on active duty who are relieved from active duty because of physical disqualification only, will be returned to an inactive status as provided in paragraphs (a) (1) and (3), except that National Guard officers will revert to an inactive National Guard status and will retain their higher temporary grade in the Army of the United States

during the present emergency and 6 months thereafter.

(d) An individual who has successfully completed the Reserve Officers' Training Corps course under War Department contract, including the 6 weeks at summer camp, and was denied a commission because of physical disqualification only and is inducted into the Army and makes application for appointment within 5 years subsequent to his graduation from Reserve Officers' Training Corps will, if found physically qualified for retention in the military service, be appointed a second lieutenant in the Army of the United States in the arm or service in which enrolled while in Reserve Officers' Training Corps and given appropriate assignment in the arm or service in which appointed regardless of the lack of a procurement objective or a position vacancy.

(e) Eligible persons referred to in paragraphs (a) (4) and (d) desiring appointment as officers in the Army of the United States will submit their applications through channels to The Adjutant General. Report of final type physical examination on W. D., A. G. O. Form No. 63 (Report of Physical Examination) will accompany the application. This procedure constitutes an exception to the provisions of § 73.206 (c) (1), which ordinarily require appearance before a board of officers.

(f) The policies contained in these regulations do not apply to former officers of the Medical Administrative Corps Reserve or Medical Administrative Corps, Army of the United States who were appointed for the sole purpose of permitting them to continue their Medical, Dental, or Veterinary Medicine education, or to individuals physically disqualified because of mental or nervous conditions. (Act of 22 September 1941, 55 Stat. 728; 10 U.S.C. Sup. 484) [Sec. III W.D. Cir. 206, 24 May 1944]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-9198; Filed, June 24, 1944;
9:35 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 311]

ISSUANCE OF ASSISTANT AIRLINE TRANSPORT PILOT CERTIFICATES

SPECIAL CIVIL AIR REGULATION

Extending the effectiveness of Special Civil Air Regulation Serial Number 278 authorizing the issuance of assistant airline transport pilot certificates.

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 23d day of June 1944.

Effective July 1, 1944 Special Civil Air Regulation Serial Number 278 is amended by striking the words "June 30, 1944" and inserting in lieu thereof the words "December 31, 1944".

NOTE: This regulation replaces Special Civil Air Regulation Serial Number 298 which has expired.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL]

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-9270; Filed, June 20, 1944;
10:30 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5380]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

EXCESS DEDUCTIONS OF STATES AND TRUSTS

Regulations 111 amended to conform to section 133 of the Revenue Act of 1943.

In order to conform Regulations 111 (26 CFR, Cum. Supp., Part 29) relating to the income tax under the Internal Revenue Code, to section 133 of the Revenue Act of 1943 (Pub. Law 235, 78th Cong.), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. The following is inserted immediately preceding § 29.162-1:

SEC. 133. RELIEF IN THE CASE OF EXCESS DEDUCTIONS OF ESTATES AND TRUSTS. (Revenue Act of 1943.)

(a) *In general.* Section 162 (d), relating to deductions in computing the net income of estates and trusts, is amended by adding at the end thereof the following new paragraph:

(4) *Excess deductions.* If for any taxable year of an estate or trust the deductions allowed under subsection (b) or (c) solely by reason of paragraph (2) or (3) (A) in respect of any income which becomes payable to a legatee, heir, or beneficiary exceed the net income of the estate or trust for such year, computed without such deductions, the amount of such excess shall not be included in computing the net income of such legatee, heir, or beneficiary under subsection (b) or (c). In cases where the income deductible solely by reason of paragraph (2) or (3) (A) becomes payable to two or more legatees, heirs, or beneficiaries, the benefit of such exclusion shall be divided among such legatees, heirs, and beneficiaries, in the proportions in which they share in such income. In any case where the estate or trust is entitled to a deduction by reason of paragraph (1), in the determination of the net income of the estate or trust for the purposes of this paragraph the amount of such deduction shall be determined with the application of paragraph (3) (A).

(b) *Effective date.* The amendment made by subsection (a) shall be effective as if it were a part of section 111 of the Revenue Act of 1942 on the date of its enactment.

PAR. 2. Section 29.162-1 is amended by changing the second and third sentences of the ninth paragraph beginning with the words "The tax upon" to read as follows:

If the tax has been properly paid on the net income of an estate or trust for a taxable year, the net income on which the tax is so paid is not, generally, in the hands of the distributee thereof (the legatee, heir, or beneficiary) taxable as income to him, but if such income becomes payable in a subsequent taxable year of the estate or trust it may be required to be included in the income of the distributee under section 162 (d) (2) or (3). See § 29.162-2 (b), (c) and (d).

PAR. 3. Section 29.162-2 is amended as follows:

(A) The last sentence of paragraph (a) is amended by changing the parenthetical clause therein to read as follows: "(see paragraphs (b) and (d) of this section)."

(B) The sixth sentence in example (1) of paragraph (b) is amended to read as follows:

Assuming the beneficiary makes his income tax returns on the calendar year basis, he will include this amount deducted by the trust in 1942 in his income for 1942, unless he is permitted to exclude part or all of the income earned by the trust in the last six months of 1941 under the provisions of section 162 (d) (4).

(C) Example (3) of paragraph (b) is deleted.

(D) The last example contained in paragraph (b) is deleted and the following inserted in lieu thereof.

Example. Under the terms of an existing trust with respect to which the local law allows accumulations, the trustee has discretion to either accumulate or distribute the income to the beneficiary. The income tax returns of the trust and the beneficiary are made on the calendar year basis. On April 1, 1943 the trustee distributes to the beneficiary all the income accumulated from January 1, 1940 through March 31, 1943. Pursuant to section 162 (d) (2), the amount of the income of the trust for the period April 1, 1942, through March 31, 1943, that is, for the last 12 months of the period of accumulation, is deductible under section 162 (c) in the return of the trust for the calendar year 1943, and is includible in the beneficiary's income tax return for that year, subject to the limitation provided in section 162 (d) (4). The distribution of the accumulated income will include the income of the trust for the last nine months of 1942 upon which the trust may have paid a tax for the year 1942, but such income is, if under the terms of the trust instrument and the local law the Federal income tax is a charge against such income, reduced by the amount of Federal income tax attributable to such income and paid by the trustees. If the deduction taken by the trust for the distribution to the beneficiary on April 1, 1943 exceeds the net income of the trust for the calendar year 1943, see section 162 (d) (4) and § 29.162-2 (d).

(E) There is inserted immediately following § 29.162-2 (c) the following paragraph:

(d) *Treatment of excess deductions of estates and trusts.* Section 162 (d) (4) is designed to avoid a form of double taxation which can arise through operation of section 162 (d) (2) and (3) (A). It becomes applicable only in cases where the deductions allowed to an estate or trust for a taxable year under section 162 (b) or (c) solely upon application of section 162 (d) (2) or (3) (A) exceed the net income of the estate or trust for such year, computed without the deductions allowed by reason of section 162 (d) (2) and (3) (A). The provisions of section 162 (d) (4) do not prevent the taxation of income distributed to legatees, heirs, or beneficiaries merely because the income may have been previously taxed to the estate or trust. See the example in the third subparagraph of this paragraph.

It is in the case of an estate which terminates its administration on a date more than 65 days after the beginning

of its final taxable year that section 162 (d) (4) will be applicable most frequently to eliminate the double taxation that can arise by reason of section 162 (d) (2). For example, the income of an estate during its several years of administration, amounting to \$100 each month, was accumulated until the estate was closed on May 31, 1942, on which date the accumulated income was payable under the terms of the will or local law to B, the residuary legatee, together with or as a part of the residue of the estate. The return of the estate for the calendar year 1942 will include income of \$500 from which there will be deducted under section 162 (c) pursuant to section 162 (d) (2) the sum of \$1,200 (assuming that under the local law any income taxes paid by the estate with respect to the 1941 income are not chargeable to income). Since the estate is entitled to a deduction of \$500 under section 162 (c) without the application of section 162 (d) (2), that is, for income received and distributed in the year 1942, only \$700 of the \$1,200 deduction is taken by the estate solely by reason of section 162 (d) (2). Thus, the deduction allowed the estate solely by reason of section 162 (d) (2) exceeds the net income of the estate for 1942 computed without such deduction by the amount of \$700, which amount would be excluded from B's income for the year 1942. B's return for the calendar year 1942 would include only the income of \$500 received by the estate in 1942.

If a trustee is required, or permitted, under the terms of the trust to distribute in one year the income of a prior period, excess deductions of the type covered by section 162 (d) (4) also may arise by reason of section 162 (d) (2) in such a case. For example, the income of a trust for the calendar year 1942 amounted to \$10,000 and was properly accumulated by the trustee until July 1, 1943, when only the income for the year 1942 was paid to the beneficiary, and no other distribution was made during the year 1943 or within the first 65 days of 1944. The net income of the trust for the year 1943, computed without the deduction allowed through the operation of section 162 (d) (2), amounted to only \$8,000. The deduction of \$10,000, being allowed solely by reason of section 162 (d) (2), exceeded the net income of the trust for 1943, computed without such deduction, by \$2,000. Thus, section 162 (d) (4) operates so as to exclude from the beneficiary's return the amount of such excess deduction. The beneficiary, in his return for the calendar year 1943, would include \$8,000 of the July 1, 1943 distribution, even though the trust may have paid taxes on such income for the year 1942.

Excess deductions of an estate or trust solely by reason of section 162 (d) (3) (A) will not arise frequently, for the distribution of income within the first 65 days of a taxable year of an estate or trust will generally consist of income received by the estate or trust in the immediately preceding taxable year of the estate or trust. Thus, if on February 1, 1943 an estate or trust distributes the 1942 income to B, the deduction for

such distribution is taken in the return of the estate or trust for the calendar year 1942, and in most cases the deduction allowed will be equal to the net income (before such deduction) for the year 1942. However, if the estate or trust income (as determined by the will, trust instrument, or local law) for the year 1942 payable to B on February 1, 1943 exceeded the net income of the estate or trust for 1942 before the application of section 162 (d) (3) (A), then section 162 (d) (4) would operate to exclude from B's income the amount of the excess deduction to the estate or trust. Excess deduction also can arise upon application of section 162 (d) (3) (A) in a case where a fiduciary of an estate or trust distributes within the first 65 days of its taxable year the income of a period not covering its immediately preceding taxable year. Thus if a trustee who accumulated the income for the calendar years 1941 and 1942 distributes to B on March 1, 1943 the income of the year 1941 only, the trust in its return for the year 1942 will deduct the amount of income of the year 1941 distributed on March 1, 1943. If such deduction allowed to the trust exceeds the net income of the trust for the year 1942, computed without such deduction, B will exclude the amount of such excess from his return for the calendar year 1943.

The deductions allowed to an estate or trust solely by reason of section 162 (d) (2) and (3) (A) are compared under the provisions of section 162 (d) (4) with the net income of the estate or trust computed without such deductions, except that in a case where the estate or trust in computing its net income for a taxable year is entitled to a deduction under section 162 (d) (1) (relating to amounts paid to annuitants), the amount of the deduction under section 162 (d) (1) shall be computed with the application of section 162 (d) (3) (A). Such application of section 162 (d) (3) (A) in computing the net income of an estate or trust for the purpose of section 162 (d) (4) in a case where section 162 (d) (1) is applicable is shown in the following example which also illustrates the manner in which excess deductions are treated when two or more beneficiaries are involved.

Example. Under an existing trust the trustee in his discretion may either accumulate or distribute the income to the beneficiaries, A and B, who share equally in the income of the trust. The returns of the trust and of the beneficiaries are made upon the calendar year basis. Under the terms of the trust, the trustee is required to pay an annuity of \$4,000 to C on April 1 of each year. During the year 1942 the trust had gross income of \$9,000 and expenses of \$1,000 which were deductible in computing the net income under the Internal Revenue Code and were chargeable against income under the terms of the trust instrument.

The following distributions were made by the trustee during 1942 and the first 65 days of 1943:

\$6,000 was paid to A on April 1, 1942; \$5,000 as his share of the trust income during the last nine months of 1941 and \$1,000 as his share of the trust income during the first three months of 1942.

\$2,000 was paid to A on November 1, 1942, out of income received by the trust after March 31, 1942.

\$3,000 was paid to B on January 5, 1943 out of his share of trust income for 1942.

\$4,000 was paid to C, the annuitant, on April 1, 1942.

Of the \$15,000 distributed, the trust is allowed deductions of only \$13,000 by reason of such distributions, since only \$2,000 of the \$4,000 paid to C is deductible by the trust inasmuch as the distributable income as defined in section 162 (d) (1) is only \$2,000, that is, \$8,000 less: \$1,000 of the April 1, 1942 distribution to A, the \$2,000 distribution to A on November 1, 1942 and the \$3,000 distribution to B on January 5, 1943.

The amount of the deductions of the trust which is to be excluded under section 162 (d) (4) in computing the net incomes of A and B is \$5,000 computed as follows:

(a) Without the application of section 162 (d) (2) and (3) (A), the following deductions would not have been taken by the trust:

\$5,000 paid to A on April 1, 1942 out of 1941 income, and deductible under section 162 (d) (2)-----	\$5,000
Amount paid to B on Jan. 5, 1943, deductible for 1942 under section 162 (d) (3) (A)-----	3,000
Total-----	8,000

(b) The net income, for the purpose of section 162 (d) (4), is computed without applying section 162 (d) (2) and (3) (A), except that in computing the deduction allowed under section 162 (d) (1) it is necessary to apply section 162 (d) (3) (A) in determining the amount of the deduction allowable to the trust under section 162 (d) (1). The net income so computed is \$3,000, determined as follows:

(1) Net income before any deductions under section 162-----	\$8,000
(2) Less deductions allowable other than under section 162 (d) (2) and (3) (A):	
Paid to A on April 1, 1942 out of 1942 income-----	\$1,000
Paid to A on November 1, 1942 out of 1942 income-----	2,000
Portion of the \$4,000 paid to C, the annuitant (the distributable income under section 162 (d) (1) being only \$2,000 in view of the \$3,000 paid to B within the first 65 days of 1943)-----	2,000
	5,000
(3) Net income for the purpose of section 162 (d) (4)-----	3,000

(c) The deductions of \$8,000 (from (a) above) exceed the net income of \$3,000 (from (b) (3) above) by \$5,000. Such excess is excluded from the net income of A and B (the beneficiaries receiving the income in (a) above) in the following proportions:

5,000	of \$5,000 is excluded from A's income.
8,000	
3,000	of \$5,000 is excluded from B's income.
8,000	

Section 162 (d) (4) has no application to a case where, without applying section 162 (d) (2) or (3) (A), the deductions of the estate or trust under section 162 (b) or (c) by reason of distributions of income exceed the net income of the estate or trust for the taxable year computed under the Internal Revenue Code without such deductions. For example, section 162 (d) (4) would not be applicable in the case of a trust which receives a deduction of \$10,000 by reason of its distribution to the beneficiary during the

taxable year of the entire trust income (determined under the trust and local law) received during the taxable year, even though the net income of the trust under the Code before such deduction amounted to less than \$10,000.

(Sec. 62, I.R.C. (53 Stat. 32; 26 U.S.C. 62); sec. 133, Revenue Act of 1943 (Pub. Law 235, 78th Cong.))

JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: June 22, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-9179; Filed, June 23, 1944; 2:13 p. m.]

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5379]

PART 455—REWARDS FOR INFORMATION LEADING TO DETECTION AND PUNISHMENT OF PERSONS VIOLATING INTERNAL REVENUE LAWS

Under and by virtue of the provisions of section 3792 of the Internal Revenue Code (formerly section 3463 of the Revised Statutes of the United States), which authorize the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, to pay such sums as he may deem necessary, not exceeding in the aggregate the sum appropriated therefor, for detecting and bringing to trial and punishment persons guilty of violating the internal revenue laws, or conniving at violations of the same, in cases where such expenses are not otherwise provided for by law, the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, does hereby offer for information that shall lead to the detection and punishment of persons guilty of violating the internal revenue laws, or conniving at the same, such reward as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall deem suitable, but in not case exceeding 10 percent of the net amount of taxes, penalties, fines and forfeitures which, by reason of said information, shall be paid irrecoverably to the United States through suit or otherwise. Any person furnishing such information shall be eligible for reward under this Treasury decision unless he was an officer or employee of the Department of the Treasury at the time he came into possession of his information or at the time he divulged it.

The rewards hereby offered are limited in their aggregate to the sum appropriated therefor and shall be paid only in cases not otherwise provided for by law.

Claims for reward under the provisions hereof shall be made on Form 211, which may be obtained from Collectors of Internal Revenue or from the Bureau at Washington, D. C.

Treasury Decision 5183, approved November 24, 1942, is hereby revoked.

(Sec. 3792, I.R.C. (53 Stat. 467))

JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: June 22, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-9178; Filed, June 23, 1944; 2:13 p. m.]

Chapter III—The Tax Court of the United States

PART 701—RULES OF PRACTICE

MISCELLANEOUS AMENDMENTS

Section 701.24 *Substitution or withdrawal of counsel; notice of appearance* is amended by adding the following sentence: "Only the original and two copies of such motion need be filed."

In § 701.44 *Subpoenas* the second sentence of paragraph (b) is amended as follows: "Only the original of the application need be filed."

The following new section is added:

§ 701.48 *Commissioners of the Tax Court.* (a) The term "commissioner" as used in this § 701.48 applies to any attorney on the legal staff of this Court who shall have been designated by the Presiding Judge as a "commissioner in a particular case" pursuant to section 1114 of the Internal Revenue Code, as amended by section 503 of the Revenue Act of 1943.

(b) The commissioner shall conduct the hearing in such case in accordance with the Court's rules of practice. He shall rule upon objections and other evidentiary matters in accordance with the rules of evidence as provided in section 1111, and shall exercise such further and incidental authority, including the issuance of subpoenas, as may be necessary for the conduct of the hearing.

(c) Unless otherwise directed the parties shall have 30 days from the closing of proof in the case for filing proposed findings of fact. Such findings of fact shall be prepared in the manner and form prescribed in the first paragraph of § 701.35 (b).

Upon the filing by the parties of their proposed findings of fact, the commissioner shall prepare and submit to the Court or a Division thereof a report of his findings of fact based upon the evidence in the case, and copies thereof shall be served upon both parties.

Within 20 days from the filing of the commissioner's proposed findings of fact the parties may file exceptions thereto which will be considered by the Division to which the case is assigned.

(d) Unless otherwise directed by the Court, the parties shall have 45 days from the date of the filing of the commissioner's proposed findings of fact within which to file briefs, and 15 days additional within which to file reply briefs. Each brief shall be prepared in the manner and form prescribed in § 701.35.

(e) Upon motion of either party, or upon its own motion, the Division to which the case is assigned may in its discretion direct oral argument and set a date therefor.

Section 701.52 *Costs; printing of record on review* is abrogated.

Section 701.62 *Special assessment* is abrogated.

(Sec. 111, I. R. C., 1939)

By the Court.

Dated: June 26, 1944.

[SEAL] BOLON B. TURNER,
Acting Presiding Judge.

[F. R. Doc. 44-9294; Filed, June 26, 1944;
11:06 a. m.]

TITLE 29—LABOR

Chapter IX—War Food Administrator (Agricultural Labor)

[Specific Wage Ceiling Reg. 13]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN TREE PICKING APRICOTS IN CERTAIN CALIFORNIA COUNTIES

§ 1102.10 *Wages of workers engaged in tree picking apricots in Areas A, B, and C (hereinafter defined), State of California.* Pursuant to § 4001.7 of the regulations of the Director of the Office of Economic Stabilization relating to wages and salaries issued August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035) and to the regulations of the War Food Administrator issued January 20, 1944 (9 F.R. 831), entitled "Specific Wage Ceiling Regulations" and based upon relevant facts submitted by the California WFA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops, and classes of workers.* Persons engaged in tree picking apricots in Areas A, B, and C, State of California, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Director of the Office of Economic Stabilization issued on August 28, 1943 (8 F.R. 11960, 12139), as amended on December 9, 1943 (8 F.R. 16702) and June 1, 1944 (9 F.R. 6035).

(b) *Definitions.* (1) When used in this specific wage ceiling regulation, the term "Area A" means the counties of Kern, Kings, Tulare, Fresno, Madera, Merced, and that portion of Stanislaus county lying west of San Joaquin River, State of California.

(2) When used in this specific wage ceiling regulation, the term "Area B" means the counties of Tehama, Glenn, Butte, Yuba, Sutter, Colusa, Napa, Yolo, Solano, Sacramento, San Joaquin, Santa Cruz, San Benito, and that portion of Stanislaus county lying east of San Joaquin River, also that portion of Santa Clara county lying south of the town of Coyote, State of California.

(3) When used in this specific wage ceiling regulation, the term "Area C" means the county of Alameda and that portion of Santa Clara county lying north of the town of Coyote, State of California.

(c) *Wage rates; maximum wage rates for tree picking apricots—*(1) *In Area A:*

- (i) Piece work rate—\$12.00 per ton.
- (ii) Hourly rate—75¢ per hour.

(2) *In Area B:*

- (i) Piece work rate—\$13.00 per ton.
- (ii) Hourly rate—80¢ per hour.

(3) *In Area C:*

- (i) Piece work rate—\$13.00 per ton.
- (ii) Hourly rate—85¢ per hour.

If workers in any of the areas above described are paid on other than tonnage basis, the compensation must be equivalent to the above.

All the above rates are exclusive of any payments to labor contractors.

(d) *Administration.* The California WFA Wage Board located at 2181 Bancroft Way, Berkeley, California, will have charge of the administration of this order in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944 (9 F.R. 831).

(e) *Applicability of specific wage ceiling regulations.* This specific wage ceiling regulation No. 13 shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on January 20, 1944 (9 F.R. 831) and the provisions of such regulations shall be applicable to this specific wage ceiling regulation No. 13 and any violation of this specific wage ceiling regulation No. 13 shall constitute a violation of such specific wage ceiling regulations.

(56 Stat. 765, 50 U.S.C. App. Supp. 901 et seq.; 57 Stat. 63; Pub. Law 34, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, regulations of the Director of Economic Stabilization, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035; regulations of the War Food Administrator, 9 F.R. 655, 831, 6011)

Issued this 23d day of June 1944.

PHILIP BRUTON,
Director of Labor.

[F. R. Doc. 44-9175; Filed, June 23, 1944;
11:45 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System [Amdt. 238]

PART 618—REGISTRATION OUTSIDE CONTINENTAL UNITED STATES, ALASKA, HAWAII, AND PUERTO RICO

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 618.4 to read as follows:

§ 618.4 *Completion and disposition of Registration Card (Form 1-F).* (a) The registrar shall complete the Registration Card (Form 1-F) for each person registered by him under this part. Each person who is registered under this part shall designate for entry on line 2 of his Registration Card (Form 1-F) the address of his place of residence within the continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, or the Virgin Islands of the United States or, if he does not have a place of residence in any of such areas,

he may nevertheless designate the address of a place in such areas as his place of residence. If any person who is registered under this part fails or refuses to designate for entry on line 2 of his Registration Card (Form 1-F) an address of a place within the continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, or the Virgin Islands of the United States, jurisdiction over him under the Selective Training and Service Act of 1940, as amended, shall vest in District of Columbia Local Board No. 1 (Foreign).

2. Amend the regulations by adding a new section to be known as § 618.5 to read as follows:

§ 618.5 *District of Columbia Local Board No. 1 (Foreign).* (a) There is hereby created a local board designated as District of Columbia Local Board No. 1 (Foreign) which shall consist of three or more members and which shall have its office in the District of Columbia. Such local board shall act as an independent local board and shall have all the rights, powers, duties, and responsibilities of a local board.

(b) District of Columbia Local Board No. 1 (Foreign) shall have jurisdiction for all purposes under the selective service law over any person who at the time of his registration under the provisions of this part does not designate for entry on line 2 of his Registration Card (Form 1-F) an address of a place within the continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, or the Virgin Islands of the United States. All jurisdiction heretofore vested in the District of Columbia Local Board No. 1 over such registrants is hereby transferred to District of Columbia Local Board No. 1 (Foreign).

3. Amend paragraph (b) of § 618.11 to read as follows:

§ 618.11 *Registrant's serial and order numbers to be assigned and records to be completed by local board receiving Registration Card (Form 1-F).* * * *

(b) If the local board determines that it has jurisdiction of the registrant, it shall:

(1) Transcribe from the Registration Card (Form 1-F) to an appropriate colored Registration Card (Form 1) all information needed to complete the Registration Card (Form 1), including placing the name of the registrant and the name of the registrar on the lines provided for their respective signatures;

(2) Prepare a Registration Certificate (Form 2-F) from the information contained on the Registration Card (Form 1-F). The date on which the registrant was registered as certified at the bottom of the reverse side of the Registration Card (Form 1-F) shall be inserted as the date of registration on the face of the Registration Certificate (Form 2-F). When the Registration Certificate (Form 2-F) has been completed, it shall be signed by a member or clerk of the local board and mailed to the registrant at his present mailing address as given on line 3 of the Registration Card (Form 1-F); *Provided*, That if such mailing address is outside of the continental United

States, the Territory of Hawaii, the Territory of Alaska, Puerto Rico, the Virgin Islands of the United States, Canada, Cuba, and Mexico, such certificate shall be mailed to the Director of Selective Service, Washington 25, D. C.

(3) Assign serial numbers and order numbers to its registrants and make entries in the local board records in the manner prescribed for late registrants in §§ 616.21 to 616.43, inclusive, unless the local board is located in the Virgin Islands or is District of Columbia Local Board No. 1 (Foreign), in which case it will assign such serial numbers and order numbers in the manner directed by the Director of Selective Service.

(4) File the Registration Card (Form 1) in the appropriate alphabetical file and the Registration Card (Form 1-F) in the registrant's Cover Sheet (Form 53).

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 22, 1944.

[F. R. Doc. 44-9196; Filed, June 23, 1944;
4:09 p. m.]

[Amdt. 237]

PART 627—APPEAL TO BOARD OF APPEAL APPEAL BY CONSCIENTIOUS OBJECTOR

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (c) of § 627.25 to read as follows:

§ 627.25 *Special provisions where appeal involves claim that registrant is a conscientious objector.* * * *

(c) Upon receipt of the report of the Department of Justice, the board of appeal shall determine the classification of the registrant, and in its determination it shall give consideration to, but it shall not be bound to follow, the recommendation of the Department of Justice. The board of appeal shall place in the Cover Sheet (Form 53) of the registrant both the letter containing the recommendation of the Department of Justice and the report of the Hearing Officer of the Department of Justice.

The foregoing amendment to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JUNE 19, 1944.

[F. R. Doc. 44-9197; Filed, June 23, 1944;
4:09 p. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 903—DELEGATION OF AUTHORITY

[Directive 26, as Amended June 23, 1944]

FARM LUMBER

Pursuant to the authority vested in me by Executive Order No. 9024 of January 16, 1942, Executive Order No. 9125 of April 7, 1942, WPB Regulation No. 1, as Amended December 31, 1943; and in order to facilitate an equitable distribution of lumber for essential agricultural needs it is hereby ordered:

§ 903.38 *Directive 26.* (a) Subject to the provisions of Order L-335 and paragraph (b) of this directive the War Food Administrator is authorized to issue rules and regulations governing the procedure that must be followed by farmers in getting lumber for their essential agricultural needs. In order to assure an equitable distribution of lumber among farmers, the War Food Administrator is authorized to establish quarterly geographic lumber quotas for farm requirements within the amount of lumber available for such purposes as determined from time to time by the War Production Board.

(b) The War Food Administrator may exercise the authority delegated in this directive subject to the following conditions:

(1) The War Food Administrator shall report periodically to the Program Vice Chairman on the exercising of the authority granted by this directive in accordance with written instructions of the Program Vice Chairman.

(2) Rules and regulations to be issued by the War Food Administrator pursuant to this directive shall be approved by the Program Vice Chairman.

(3) Nothing herein shall be construed to limit, or modify any order heretofore or hereafter issued by the War Production Board or to delegate to the War Food Administrator the power to extend, amend, or modify any such order.

(c) The War Food Administrator is authorized to assign farmers such preference ratings to get lumber as is determined by the Program Vice Chairman. Such ratings may be used by farmers to get lumber for (i) maintenance and repair of farm equipment; (ii) maintenance, repair and operation of farm buildings (other than dwellings); (iii) construction of farm buildings (other than dwellings) within the cost limits of paragraph (c) of Order L-41; and (iv) construction of farm buildings (including dwellings) where permitted under paragraph (d) of Order L-41.

(d) The War Food Administrator is authorized to inspect the books, records, and other writings of retail lumber dealers to determine their compliance with Order L-335 and with Priorities Regulation so far as it is necessary to carry

out the authority delegated by this directive.

(e) The War Food Administrator may exercise the authority delegated in this directive through such officials of the War Food Administration, including the County Agricultural Conservation Committees, as he may determine.

(f) For the purposes of this directive:

(1) "Farmer" means a person who engages in farming as a business. It does not include a person who raises agricultural products entirely for his own use.

(2) "Retail lumber dealer" means any person engaged in the business of selling lumber to farmers or other consumers.

(g) This directive shall become effective upon issuance but the authority delegated to the War Food Administrator under Directive 26 prior to this amendment shall remain in full force and effect until August 1, 1944 at which time that authority shall terminate.

Issued this 23d day of June 1944.

S. W. ANDERSON,
Program Vice Chairman.

[F. R. Doc. 44-9194; Filed, June 23, 1944;
4:10 p. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Direction 4]

APPLICATION FOR PERMISSION TO USE EXCESS MATERIALS

The following direction is issued pursuant to Priorities Regulation 1:

(a) *What this direction does.* This direction tells you how to get the same right to use materials and products which you have on hand that you would have if you bought them from someone else under Priorities Regulation 13. This direction applies only to materials and products (other than controlled materials and Class A products) which you got with priorities assistance and which you have in your inventory, but which you cannot use for the purpose for which you got them.

You may already have the right to use the material under the provisions of § 944.11 of Priorities Regulation 1. If that section does not let you use material the way you want to, you may ask for permission in the way explained in paragraph (b) of this direction.

Direction 52 to CMP Regulation 1 tells you how to get permission in the same way to use controlled materials and Class A products where paragraph (u) of CMP Regulation 1 limits your right to use the materials and products.

(b) *Method of applying for authorization.* If you need permission to use materials and products (other than controlled materials and Class A Products) as explained in paragraph (a), you should apply by letter, in duplicate, to the nearest field office of the War Production Board. The letter that you write should describe the material you want to use, what you want to use it for, how you got it, and any other relevant circumstances.

(c) *When an authorization will be issued.* The War Production Board may give you the

permission you ask for, but will do so only under the following conditions:

(1) The War Production Board will give you this permission only under the same circumstances and under the same conditions that it would allow you to buy the materials from somebody else under Priorities Regulation 13.

(2) In processing applications to use excess materials, the War Production Board will be guided by the policy that production in any one plant, or labor requirements for that production, shall not interfere with war production in that plant or in any other plant located in the same area.

(d) No authorization that you get under this direction shall constitute an exception to the provisions of any E, L, or M Order or any direction issued under any such order.

Issued this 24th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9199; Filed, June 24, 1944;
10:35 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 52]

APPLICATION FOR PERMISSION TO USE EXCESS MATERIALS

The following direction is issued pursuant to CMP Regulation 1:

(a) *What this direction does.* This direction tells you how to get the same right to use controlled materials and Class A products which you have on hand that you would have if you bought them from someone else under Priorities Regulation 13. This direction applies only to controlled materials and Class A products which you got by using an allotment, or on an authorized controlled material order, and which you have in your inventory, but which you cannot use for the purpose for which you got them.

You may already have the right to use the material under the provisions of paragraph (u) of CMP Regulation 1. If that paragraph does not let you use the material the way you want to, you may ask for permission in the way explained in paragraph (b) of this direction.

Direction 4 to Priorities Regulation 1 tells you how to get permission in the same way to use other materials and products where § 944.11 of Priorities Regulation 1 limits your right to use the materials or products.

(b) *Method of applying for authorization.* If you need permission to use controlled materials or Class A products as explained in paragraph (a), you should apply by letter, in duplicate, to the nearest field office of the War Production Board. The letter that you write should describe the material you want to use, what you want to use it for, how you got it, and any other relevant circumstances.

(c) *When an authorization will be issued.* The War Production Board may give you the permission you ask for, but will do so only under the following conditions:

(1) The War Production Board will give you this permission only under the same circumstances and under the same conditions that it would allow you to buy the materials from somebody else under Priorities Regulation 13.

(2) In processing applications to use excess materials, the War Production Board will be guided by the policy that production in any one plant, or labor requirements for that production, shall not interfere with war production in that plant or in any other plant located in the same area.

(d) No authorization that you get under this direction shall constitute an exception to the provisions of any E, L, or M Order or any direction issued under any such order.

Issued this 24th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9200; Filed, June 24, 1944;
10:35 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS¹

[Limitation Order L-150-a, as Amended
June 24, 1944]

SOFTWOOD PLYWOOD

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of softwood plywood for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3285.3¹ *Limitation Order L-150-a—*
(a) *Definitions.* For the purpose of this order:

(1) "Producer" shall mean any manufacturer of softwood plywood, but shall not include any distribution warehouse of any manufacturer.

(2) "Softwood plywood" shall mean a built-up board of laminated veneers of any species of softwood united with a bonding agent.

(3) "Distributor" shall mean any wholesaler, jobber, retailer or other person who in the regular course of his business sells softwood plywood.

(b) *General restrictions.* No distributor shall sell, ship or deliver or cause to be sold, shipped or delivered, any softwood plywood except upon orders rated AA-2X or higher, except that this restriction shall not apply

(1) To sales, shipments or deliveries by producers to distributors;

(2) To sales, shipments, or deliveries of the following items of softwood plywood, the surface of which does not measure more than eight square feet: strips, odd sizes, and scrap resulting from the processing for use of standard panels.

(3) To sales, shipments, or deliveries on orders rating AA-3 which bear the following certification (instead of the certification prescribed in Priorities Regulation 7):

All softwood plywood delivered on this order will be used as authorized on Form GA-1456 and delivery is permitted under paragraph (b) (3) of Order L-150-a, and use of the preference rating shown on this delivery order is authorized.

No person shall use this certification unless (i) he has received an authorization on Form GA-1456 permitting him to do construction work; and (ii) the purpose

¹ Formerly Part 1276, § 1276.6.

for which the softwood plywood is to be used is not prohibited by the terms of the authorization.

(4) To sales, shipments, or deliveries on orders rated AA-3 which bear the following certification (instead of the certification prescribed in Priorities Regulation 7):

All softwood plywood delivered on this order will be used for concrete form work in a construction project rated on Form CMPL-593 and delivery is permitted under paragraph (b) (4) of Order L-150-a and use of the preference rating shown on this delivery order is authorized.

No person shall use this certification unless (i) an authorization on Form CMPL-593 has been issued to him giving priorities assistance for construction under Direction 3 to CMP Regulation 6; and (ii) the softwood plywood is to be used for concrete form work to be carried out under the authorization.

(c) *Appeals.* Any appeal from this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(d) *Communications.* Communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Lumber and Lumber Products Division, Washington 25, D. C. Ref.: L-150-a.

(e) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, the War Production Board may prohibit such person from making or obtaining further deliveries of, or from processing or using, material under priority control, may withhold from such person priorities assistance, and may take such other action as it deems appropriate.

(f) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

Issued this 24th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9202; Filed, June 24, 1944;
10:35 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS [Order L-335, Revocation of Interpretation 1]

Interpretation No. 1 to Order L-335 is hereby revoked. Interpretation No. 1 is superseded by the terms of Order L-335, as amended June 23, 1944.

Issued this 24th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9201; Filed, June 24, 1944;
10:35 a. m.]

**PART 3288—PLUMBING AND HEATING
EQUIPMENT**

[Limitation Order L-42, Direction 3]

CAST IRON BATHTUBS

The following direction is issued pursuant to Limitation Order L-42:

(a) *What this direction does.* The War Production Board having determined upon a program of production of metal bathtubs for the remainder of the year 1944, has authorized the production of 50,000 bathtubs for the third quarter. This direction tells by whom and for what purposes bathtubs may be made without utilizing labor in critical labor areas in order to produce the required 50,000 metal bathtubs.

(b) *Production of bathtubs.* Prior to October 1, 1944, in addition to the bathtubs authorized by previous Directions to Limitation Order L-42, the following manufacturers may produce at their plants at the addresses indicated, recess type cast iron bathtubs, no longer than those commercially known as five foot, and in quantities not exceeding the number indicated opposite their names:

American Radiator & Standard Sanitary Corporation, Louisville, Kentucky	10,000
Crane Company, Chattanooga, Tennessee	10,000
Eljer Company, Salem, Ohio	10,000
Kohler Company, Kohler, Wisconsin	10,000
Richmond Radiator Company, Uniontown, Pennsylvania	10,000

(c) *Sale of bathtubs.* These bathtubs may be delivered only to fill orders (1) of or for ultimate delivery to the Army or Navy, (2) for export authorized by the Foreign Economic Administration, or (3) for approved installation in projects rated in the P-19 series authorized on Form GA-1456, in the P-55 series authorized on Form WPB-2896, or in the U-1 series authorized on Form WPB-2774. No jobber, or dealer, may accept delivery of any such bathtubs to place in his inventory, whether or not he has previously delivered bathtubs to fill such orders. No jobber or dealer may order, or accept delivery of any such bathtubs unless he has in his possession an actual order calling for the delivery of bathtubs to an authorized project or building with a specified completion date, to or for the account of the Army, or Navy, or for installation in a project rated by orders in the P-19, P-55, or U-1 series. Shipments for export may be made only if a license has actually been issued by the Foreign Economic Administration. A manufacturer may not accept a rating alone as evidence of his authority to deliver to a dealer, but must obtain, in addition to the standard certification accompanying the extension of the rating, applicable information of the following nature:

(1) For delivery to the Army or Navy: the contract purchase order, or rating certificate number.

(2) For delivery to an authorized project of the P-19, P-55, or U-1 series: the number and location of the project.

(3) For export authorized by the Foreign Economic Administration: the export license number.

(d) *Crating.* No manufacturer may use better than No. 3 quality grades of lumber in crating these bathtubs.

(e) *Reports.* Each manufacturer named in paragraph (b) shall report by letter on or before the 10th day of each month to the Plumbing and Heating Division, War Production Board, Washington 25, D. C., by size, the number of bathtubs produced and the number shipped under this direction during the preceding month. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Effect of other orders.* The restrictions of Schedule XIII to Order L-42 are superseded to the extent necessary to give effect to this direction.

Issued this 24th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9203; Filed, June 24, 1944;
10:35 a. m.]

PART 3289—RADIO AND RADAR

[General Limitation Order L-151, as
Amended June 24, 1944]

DOMESTIC WATTHOUR METERS

§ 3289.11 *General Limitation Order L-151—(a) Definition.* Wherever it appears in this order, the term "domestic watthour meter" is used to mean any device designed and manufactured for the purpose of measuring the consumption of electrical energy with respect to time, and includes single phase, two and three wire types, with capacities up to 25 amperes and voltages up to 240 volts, for use on alternating current of any frequency. The term does not include electric energy meters for use on direct current or on polyphase circuits, maximum demand meters, or integrating meters, calibrated in terms other than electric energy (i. e., meters integrating weight, pressure, etc.).

(b) *Restrictions on production.* (1) No person shall manufacture or assemble any new domestic watthour meters or any new parts for the conversion of domestic watthour meters from one to another type, except as authorized by the War Production Board on Form GA-1850.

(2) The above provision in paragraph (b) (1) does not prohibit the use or delivery of existing parts for the conversion of domestic watthour meters from one to another type, such as the conversion of non-socket to socket type meters, three-wire to two-wire or two-wire to three-wire meters, or meters from one current rating to a higher current rating.

(3) A person wishing to manufacture domestic watthour meters or conversion parts, should apply for authorization by letter addressed to the War Production Board, Radio and Radar Division, Washington, 25, D. C., Reference L-151. This letter should give all pertinent information with respect to proposed production. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by application on

Form CMP-4B, for the controlled materials.

(4) Production will be authorized for the several manufacturers as nearly as practicable according to ratios comparable to the pre-war ratios of the several companies. Production will be so authorized that the total production will not exceed the approved War Production Board program, and the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant, or in any other plant located in the same area. Individual authorizations will be issued in amounts sufficient to carry out the presently approved program of 260,000 domestic watthour meters for the last six months of 1944, and any other program which may be approved later by the War Production Board.

(c) *Restrictions on delivery.* No person shall deliver or accept delivery of any new domestic watthour meter unless it is a delivery:

(1) To or for the account of the Army, Navy, Maritime Commission or War Shipping Administration.

(2) Between persons who own or operate electric power utilities which serve the public generally.

(3) Authorized by the War Production Board on Form WPB-1319. Any prospective purchaser may apply for such an authorization by filing Form WPB-1319 in accordance with the current instructions for filing such forms. These form applications should be filed with the nearest Utility Inventory Control Office of the War Production Board, addressed to the attention of the Regional Utility Engineer. The locations of these Regional Utility Inventory Control Offices are given on List A at the end of this order. As a general rule, favorable consideration will be given to the purchase of new domestic watthour meters only where one or more of the following factors appear to establish the need for them:

(i) The meters are to measure the consumption of electric energy by individual homes in a war housing project, which cannot be metered with a master meter, and delay in obtaining individual used meters would delay the occupancy of such dwellings.

(ii) The meters are required for the replacement in service of damaged meters, and the applicant cannot obtain prompt delivery of used meters for that purpose, and does not have such meters available in his own inventory for replacements.

(iii) Special or emergency conditions require the prompt delivery of new meters.

Unless one of the above conditions exists, a prospective purchaser should obtain his requirements of domestic watthour meters from such sources of supply as the excess inventories of electric utilities, used meter dealers, and meter repair shops. Information as to excess stocks of such meters in the hands of utilities may be obtained from Regional Utility

Inventory Control Offices (See List A at the end of this order).

(d) *Parts for maintenance or repair.* The provisions of paragraphs (b) and (c) of this order on production and delivery do not apply to the production or delivery of parts for the maintenance or repair of domestic watthour meters. No person, however, shall manufacture so many of such parts that his inventory thereof will at any time exceed his average monthly inventory of such parts during the calendar year 1941.

(e) *Monthly reports.* On or before the tenth day of each calendar month each manufacturer of domestic watthour meters shall file with the War Production Board a report, in duplicate, in letter form, which shall show the following information as of the first of the month:

(1) Inventory of domestic watthour meters.

(2) Deliveries of domestic watthour meters during the preceding calendar month.

(3) Unfilled orders on hand for domestic watthour meters.

(f) *Applicability of War Production Board regulations and orders.* This order and all things done under it are subject to the provisions of all applicable regulations and orders of the War Production Board.

(g) *Violations and penalties.* Any person who wilfully violates any provision of this order, or who conceals any material information or furnishes false information to any department or agency of the United States is guilty of a crime. If convicted, he may be punished by fine or imprisonment; or any such person may be deprived of any or all priorities assistance. For example, he may be prohibited from getting, delivering, processing, or using anything which is subject to priority control by the War Production Board.

(h) *Appeals from this order.* Any person may appeal for relief from any provision of this order by writing a letter which explains fully what provisions he is appealing from and why he thinks he should be relieved from those provisions. He should send this letter, with two signed copies, to the War Production Board.

(i) *Letters and reports.* Letters about this order, or reports filed under it, should be addressed to the War Production Board, Washington 25, D. C., Ref: L-151; and the reports required by paragraph (e) of the order should be addressed to the attention of the Office of War Utilities. All other letters or reports, however, should be addressed to the attention of the Radio and Radar Division. All reports and forms required by this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 24th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A—ADDRESSES OF REGIONAL UTILITY
INVENTORY CONTROL OFFICES

17 Court St., Boston, Mass.
350 Fifth Ave., New York, N. Y.
1617 Pennsylvania Boulevard, Philadelphia, Pa.
116 Candler Building, Atlanta, Ga.
800 First National Bank Building, Pittsburgh, Pa.
226 West Jackson Boulevard, Chicago, Ill.
Mutual Interstate Building, Kansas City, Mo.
1221 Mercantile Bank Building, Dallas, Tex.
Continental Oil Building, Denver, Colo.
1031 South Broadway, Los Angeles, Calif.
7310 Woodward Ave., Detroit, Mich.
334 Midland Bank Building, Minneapolis, Minn.
Bedell Building, Portland, Oreg.

[F. R. Doc. 44-9204; Filed, June 24, 1944;
10:35 a. m.]

PART 3290—TEXTILES, CLOTHING AND
LEATHER

[General Conservation Order M-310, General
Direction 5]

RESTRICTION ON PROCESSING OF CATTLEHIDE,
CALFSKIN AND KIP

The following direction is issued pursuant to General Conservation Order M-310:

Effective July 1, 1944 and until further notice no tanner shall put into process for his own account in any calendar quarter, in excess of 300% of the monthly average number of cattlehides, calfskins or kips, respectively, which he put into process for his account during 1942.

Effective July 1, 1944 and until further notice, no tanner shall put into process for the account of others in any calendar quarter in excess of 300% of the monthly average number of cattlehides, calfskins or kips, respectively, which he put into process for the account of others during 1942.

Effective July 1, 1944, and until further notice, no contractor or converter shall cause to be put into process for his account in any calendar quarter in excess of 300% of the monthly average number of cattlehides, calfskins or kips, respectively, which he caused to be put into process for his account during 1942.

Issued this 24th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9205; Filed, June 24, 1944;
10:35 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-218, Revocation]

BUTANE GAS & PLUMBING CO., INC.

Suspension Order No. S-218 was issued against Butane Gas & Plumbing Company, Inc., of Cottonport, Louisiana, effective January 19, 1943. An appeal was filed with the Chief Compliance Commissioner. The case was reviewed by the Deputy Chief Compliance Commissioner, as a result of which on June 20, 1944, the Deputy Chief Compliance Commissioner directed that Suspension Order No. S-218 be revoked immediately. In view of the foregoing:

It is hereby ordered, That § 1010.218, Suspension Order No. S-218 be revoked, effective June 20, 1944.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9193; Filed, June 23, 1944;
4:10 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-563]

G. T. E. COMPANY

George T. Estfan, doing business as G. T. E. Company, 317 North Main Street, Wichita, Kansas, is engaged in selling refrigeration equipment. Between May 15, 1942 and March 30, 1943, he sold, on unrated orders, five units of new refrigeration equipment of a type that could be sold only on preferred orders bearing preference ratings of A-9, or higher. On or about April 20, 1943, he sold, on an unauthorized order, one unit that could be sold only on an authorized order. All of these sales constituted violations of Limitation Order L-33. Mr. Estfan was familiar with the order and the violations were wilful. As a result of the violations, critical materials were diverted to uses not authorized by the War Production Board, and the war effort of the United States has been hampered and impeded. In view of the foregoing, it is hereby ordered, that:

§ 1010.563 *Suspension Order No. S-563.* (a) Deliveries of materials to George T. Estfan, individually or doing business as G. T. E. Company or under any other name, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve George T. Estfan, individually or doing business as G. T. E. Company or under any other name, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on June 24, 1944, and shall expire on September 25, 1944.

Issued this 14th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9252; Filed, June 24, 1944;
4:20 p. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P-98-b, as Amended June 26, 1944]

Section 1041.2 (Preference Rating Order P-98-b, as amended March 18, 1944) is hereby amended to read as follows:

Definitions and Scope

§ 1041.2 *Preference Rating Order P-98-b*—(a) *Definitions*. (1) "Operator" means any person to the extent that he is engaged in the petroleum industry in the United States, its territories (except Hawaii) or possessions.

(2) "Petroleum" means crude oil, petroleum products and associated hydrocarbons, including but not limited to natural gas.

(3) "Petroleum industry" includes any of the following activities and any operation directly incident to these activities:

(i) The discovery, development or depletion of petroleum pools (production);

(ii) The extraction or recovery of natural gasoline and associated hydrocarbons (natural gasoline recovery);

(iii) The transportation, movement, loading or unloading of petroleum other than natural gas (transportation);

(iv) The processing, reprocessing or alteration of petroleum, including but not limited to compounding or blending (refining);

(v) The distribution or dispensing of petroleum products (other than natural gas) and the storing of petroleum products incident thereto (marketing);

and includes for each of the above listed branches of the industry, to the extent applicable, the control of, or the investigation into more effective methods of conducting petroleum industry operations by means of research, technical or control laboratories.

(4) "Maintenance and repair" means (without regard to accounting practice):

(i) The upkeep of any structure, equipment, or material in a sound working condition or the restoration or fixing of any structure, equipment, or material which has broken down or is worn out, damaged or destroyed;

(ii) Any other use of material not exceeding in material cost \$500 for any one complete operation which has not been subdivided for the purpose of coming within this definition.

Maintenance and repair shall not include (a) the drilling, redrilling, deepening, plugging back, or multiple completion of any well or the initial installation on any well of pumping or other artificial lifting equipment, or (b) the extension or the initial construction or installation of a field gas gathering line, or (c) any use of material in connection with a service station or retail outlet other than for upkeep or restoration pur-

poses, or (d) the installation or replacement in marketing of any "equipment" defined as such in Petroleum Administrative Order 12.

(5) "Operating supplies" means material, other than material used for maintenance and repair, which is consumed in petroleum operations and which is normally carried by an operator as operating supplies or which is normally chargeable to operating expense.

(6) "Laboratory equipment" means instruments and equipment for use in a petroleum research, technical or control laboratory. This does not include material for use in the construction of a laboratory, pilot plant or other structure.

(b) *Purpose of order*. This order will be used to secure priorities assistance for all material required to conduct petroleum operations. In addition, an MRO rating assigned by this order may be used to secure the services of repairmen and the like to the extent consistent with Priorities Regulation 3. However, under this order priorities assistance may not

be used to obtain any of the following material:

(1) Material listed on Schedule A of this order.

(2) Material or equipment to be used by a consumer account for or in the storage or dispensing of petroleum, including liquefied petroleum gas. (See Order P-98-e.)

(3) Tank trucks and trailers, railroad rolling stock or marine equipment, other than parts necessary for containing and moving petroleum by tank truck or trailer; parts for railroad rolling stock not under the jurisdiction of the I. C. C.; and parts for marine equipment where other ways of getting priorities assistance are not available.

How To Obtain Material

(c) *Assignment of ratings and symbols*.

(1) An operator may use the appropriate preference ratings and allotment symbols in the table below to secure the material specified (for exceptions see paragraph (d)):

Preference rating and allotment symbol	Material which may be secured with the indicated rating and symbol
AA-1; MRO-P-3.....	Material for maintenance and repair, operating supplies or laboratory equipment (all known as MRO material) and other materials not exceeding in material cost \$500 for use in each single operation. This provision applies to any use of material in the petroleum industry, other than in a service station or retail outlet.
AA-2X; P-1.....	Material (other than MRO material) for use in production, except in connection with a "special production operation," as defined in paragraph (c).
AA-2X; F-5.....	Material (other than MRO material) for use in connection with a crude oil gathering line, but only in those cases where the operation may be undertaken without specific authorization under Petroleum Administrative Order 15.
AA-3; F-5.....	Material (other than MRO material) for use in a special production operation or in natural gasoline recovery, transportation or refining, but only in those cases where the operation may be undertaken without specific authorization under Petroleum Administrative Order 11 or Petroleum Administrative Order 15.
AA-5; MRO-P-3.....	MRO material for use in connection with a service station or retail outlet. (See Direction 2 to P-98-b for another rating available.)

(2) *Information on delivery orders*. The following information must be shown by an operator on each delivery order for controlled material using the priorities assistance of this paragraph (c):

Allotment symbol.

PAW District in which the material will be used.

Use to which the material will be put.

Weight of the material by item.

Month in which delivery of the material is promised.

Certification of paragraph (g) of this order.

(3) *Filing of delivery orders with PAW*. Where required by the provisions of this paragraph, delivery orders must be submitted to the PAW District Office for the District in which the material will be used, or, if so desired by an operator in any branch of the industry other than production, for the District in which the purchasing office of the operator is located. They should be marked "Ref: Materials Division."

Delivery orders for controlled materials using the priorities assistance of this paragraph (c) must be submitted to the Petroleum Administration for War as follows:

(i) Delivery orders with a total cost of more than \$100 but not more than \$2,500 and with no item of more than \$500—one copy for accounting purposes.

(ii) Delivery orders with a total cost of more than \$2,500 or with any item of more than \$500—the original and two copies for approval, and the operator may not place that order with a supplier until the approved original and one copy have been returned to him.

It is no longer necessary for operators to submit delivery orders for materials other than controlled materials to the Petroleum Administration for War.

In preparing or placing a delivery order an operator shall not alter the customary designation of any item or items for the purpose of making it appear that an item costs \$500 or less or that the total cost of all items on the delivery order is \$100 or less or \$2,500 or less, as the case may be.

(d) *Exceptions to use of assigned ratings and symbols*. (1) The preference ratings and allotment symbols assigned in paragraph (c) may not be used to secure material covered by Schedule B or C of this order. Instead the procedures described in this paragraph will be used.

(2) *Material on Schedule B—special MRO symbol and rating*. An operator must in each case request a rating and symbol for material on Schedule B. The request will be made by submitting the

original and two copies of the delivery order, regardless of cost, for approval to the PAW District Office for the District in which the material will be used (or, if so desired by an operator in any branch of the industry other than production, for the District in which the purchasing office of the operator is located), Ref: Materials Division. The operator should show on each delivery order the certification of paragraph (g), and include on the order (or in an accompanying statement) information on the specific use to which the material will be put and why the particular item is required. The operator may not place the order with a supplier until the approved original and one copy have been returned to him.

(3) *Material on Schedule C.* To secure material covered by Schedule C, an operator must apply on the appropriate form in that schedule.

(e) *Application for ratings and symbol for operations not covered by paragraph (c)*—(1) *Apply on PAW Form 30.* It is necessary to apply on PAW Form 30 for priorities assistance for material to be used in a special production operation or in natural gasoline recovery, transportation, refining or marketing where a specific authorization to use material is required by Petroleum Administrative Order 11, Petroleum Administrative Order 12 or Petroleum Administrative Order 15. This, of course, means that it is not necessary to apply on PAW Form 30 for priorities assistance for material to be used in an operation covered by paragraph (c) of this order.

"Special production operations" are:

- Gas cycling operations for condensate recovery.
- Gas desulphurization operations.
- Gas dehydration operations.
- Pressure maintenance operations.
- A gas lift compression plant or a field gas booster plant where the material to be installed or added increases the rated capacity of the plant by more than 500 h.p.

Form WFB-541 should be used instead of PAW Form 30 in marketing to request a preference rating for machinery or equipment, if the machinery or equipment will be installed with the use of no more than \$500 worth of material obtained with the MRO rating of this order and if the machinery or equipment will be installed as part of a complete operation having a total material cost of no more than \$5,000.

Form WFB-541, or such other form as may be specified by any WPB order, should be used instead of this form to request a preference rating for material (such as construction machinery or equipment) which will not be incorporated into the proposed plant or facility. Form WFB-541 applications should be filed with the nearest War Production Board Field Office.

(2) *Special requirements for certain material and equipment.* Schedule D of this order lists, as part of the "Construction Standards," certain material and equipment which in general may be acquired or used in an operation covered

by a PAW Form 30 application only in accordance with certain limitations, or which may not be acquired or used without specific permission. If it is necessary to use such material or equipment in a manner other than as permitted by Part 2 of the schedule or to use the products listed in Part 3 of the schedule, the operator must specifically identify such use in accordance with the instructions to PAW Form 30. If an operator is authorized on Form GA-1456 Petroleum to get and use any equipment listed in Part 3 of Schedule D, he may do so without further special authorization, notwithstanding the provisions of any other order of the War Production Board which requires authorization on a special form or letter.

(3) *How to use allotment symbol and preference rating*—(i) *Placing on delivery orders.* Each delivery order for controlled material must bear the allotment symbol assigned. Each delivery order for material other than controlled material must bear the preference rating assigned, and the applicable allotment symbol. Each delivery order must also bear the standard certification of paragraph (g), and in addition the following certification, if for equipment listed in Part 3 of Schedule D and authorized by a Form GA-1456 Petroleum:

Delivery approved on Form GA-1456 under Order P-93-b (approval equivalent to that under Direction 1 to CMP Regulation 9).

(ii) *Use of any allotment symbol.* Any allotment symbol assigned on a Form GA-1456 Petroleum may be used by the following persons in addition to the operator to order controlled materials and Class A products:

(a) By manufacturers of Class A products or Class A components of Class A products to be incorporated in the operation.

(b) By contractors and sub-contractors doing all or any part of the construction work.

Such allotment symbol may be used only where the manufacturer, contractor, or sub-contractor, as the case may be, has received a statement in substantially the following form endorsed on the order or contract by the person placing it:

Serial Number _____ (identifying project). You are authorized to use allotment symbol _____ to order controlled materials and Class A products needed to fill this order or contract.

It is not necessary to show the quantities of controlled materials in this statement. Its use shall constitute a representation by the person signing it to the person with whom the order or contract is placed, and to the War Production Board, subject to the penalties of section 35A of the United States Criminal Code, that he has the right to authorize the person with whom the order or contract is placed to use the allotment symbol to fill the order or contract. The standard certification in paragraph (g) of this order may not be used instead of the above statement (but both will be used to order a Class A product.)

(iii) *Purchase order filing not required.* Any rating or allotment symbol assigned pursuant to an application on PAW Form 30, Form WFB-541 or other appropriate form may be used without submitting purchase orders to the Petroleum Administration for War, unless the operator receives special instructions to the contrary.

General Provisions

(1) *How to obtain authority to use material.* An operator may use material for maintenance or repair or as operating supplies, or in any other operation only in accordance with the provisions of the applicable Petroleum Administrative Orders, which are listed in this paragraph. Unless a desired use of material is permitted by the terms of the appropriate order, the operator must secure an authorization under or an exception to that order, as the case may be.

(1) Use of material in production (including "special production operations") or in natural gasoline recovery is governed by Petroleum Administrative Order 11, as amended and supplemented from time to time.

(2) Use of material in transportation or refining is governed by Petroleum Administrative Order 15, as amended and supplemented from time to time.

(3) Use of material (other than liquefied petroleum gas equipment covered by Order L-86) in marketing is governed by Petroleum Administrative Order 12, as amended and supplemented from time to time.

(g) *Certification for delivery orders.* The certification required to be placed on delivery orders is as follows:

The undersigned purchaser certifies, subject to the penalties of section 35A of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

This certification may be used as provided in Priorities Regulation 7.

(h) *Placement of delivery orders for controlled materials.* Under many War Production Board orders and regulations, a delivery order for controlled materials which is an authorized controlled material order is given special treatment. Any delivery order for controlled materials placed pursuant to this order and bearing the certification of paragraph (g) of this order is an authorized controlled material order if the delivery order is in sufficient detail to be placed on a mill schedule and if it specifies the month in which delivery is requested or promised.

(i) *Restoration of inventories.* An operator may use an allotment number or symbol or preference rating authorized under this order to restore his inventory to a practicable working minimum. However, an operator may not

secure replacements which would result in surplus material as defined in Order P-98-c as amended.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order should, unless other directions are given, be addressed to the Petroleum Administration for War, Interior Building, Washington 25, D. C., Ref: P-98-b.

(k) *Violations.* Any person who willfully violates any provision of this order or who willfully furnishes false information to the Petroleum Administration for War or the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(l) *Applicability of other orders and regulations.* (1) This order and all transactions affected hereby, except as herein otherwise provided, are subject to all orders and regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulations 2, 5, 5A and 6 (or the limitations incorporated in any CMP Regulation which otherwise would subject an operator to the provisions of CMP Regulation 2, 5, 5A or 6) shall apply to an operator, and no operator shall obtain any material under or be limited by the provisions of such regulations or limitations. The provisions of paragraphs (i), (s), (s-1) and (u) of CMP Regulation 1 shall not apply to an operator who secures material in accordance with the provisions of this order.

(3) Any preference rating, other than a rating for MRO material, assigned pursuant to the provisions of this order is assigned in lieu of a preference rating under an order in the P-19 series or on Form CMPL-224 Petroleum. Any reference in any order of the War Production Board to an order in the P-19 series or to Form CMPL-224 Petroleum shall constitute a reference to a preference rating assigned pursuant to this order.

(4) Privileges granted by other orders and regulations of the War Production Board to persons on Schedule I of CMP Regulation 5 shall be considered as applicable to petroleum operators, other than an operator to the extent that he operates a service station or retail outlet. For example, Order E-5-a on gauges and precision measuring hand tools classifies a person on Schedule I or II of CMP Regulation 5 as an "approved user." With the exception of an operator of a service station or retail outlet, an operator covered by P-98-b is in identically the same position, *Provided*, That certification clauses in and all other provisions of such other orders are complied with.

(5) The War Housing Construction Standards, contained in Schedule II of Order P-55-c, apply to any housing

undertaken with the priorities assistance of this order.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 26th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

The items listed on this schedule may be delivered to operators without regard to preference ratings. No operator shall apply or extend any rating to get any of these items, and no person selling any such item shall require a rating as a condition of sale.

Items on List A of Priorities Regulation 3.
Rock bits and core bits (rotary bits).

Tool joints.

Low and high temperature fractional distillation equipment for gas and gasoline analysis.

SCHEDULE B

The following materials are covered by this schedule:

(a) Those items currently identified on (and more completely described in) List B of Priorities Regulation 3, as follows, and any equivalent items replacing them on revisions of that List B, when included on a purchase

Item	Preference rating form	Release or scheduling form	Filing instructions
(a) Steel shipping drums (as defined in L-197).	-----	WPB-3770-----	File 4 copies with PAW, Washington, Ref: P-98-b. File this form for relief from the provisions of L-197.
(b) Wooden shipping containers (as defined in L-232, P-140).	WPB-2403-----	-----	File WPB-2403 with PAW, Washington, Ref: P-98-b. File this form only if the preference ratings of P-140 are not sufficiently high to obtain delivery at the time the material is needed.

SCHEDULE D—CONSTRUCTION STANDARDS

PART 1—GENERAL

A. *What these Construction Standards are and what they do.* Under these Construction Standards an operator is informed in Part 2 of the principles governing wartime construction and of the specific limitations to be followed in undertaking construction covered by PAW Form 30. In Part 3 certain products are listed which may be requested through the PAW Form 30 procedure and which otherwise would require the filing of supplemental application forms.

In preparing PAW Form 30 applications the Construction Standards should be consulted closely, since they apply to the use of material in operations covered by that form and authorized on Form GA-1456 Petroleum. The Construction Standards have not been included in the Instructions to PAW Form 30 because of the likelihood of their frequent revision, and because additional products may in the future be added to Part 3 of the Standards, thus eliminating the need for supplemental authorization forms for such products. These Construction Standards do not apply to petroleum industry operations which are not covered by PAW Form 30; nor do they apply to the use of used material and equipment except where specifically stated.

Operators should request any exceptions from the limitations contained in Part 2 of this Schedule which they consider essential. Each authorization granted on Form GA-1456 Petroleum will provide that the limitations of Part 2, except as modified by any exception

order which bears allotment symbol MRC-P-3:

Civilian defense devices.

Filing cabinets, wooden.

Fire protective equipment.

Furniture for any use, except furniture specifically designed for schools.

Medical, surgical and dental equipment and supplies (except parts for the maintenance or repair of existing equipment).

Medical, surgical and dental instruments. Slide rules, precision engineering, having a list price of \$7.50 or more.

Venetian blinds.

(b) Construction machinery and equipment (on Schedule B of Order L-192) costing in excess of \$500, when to be acquired with a rating and symbol assigned in paragraph (c) of this order.

SCHEDULE C

Many of the materials on List B of Priorities Regulation 3 (other than those on Schedule B of this order) may be secured without a preference rating, and every attempt should be made to do so. If a rating is required for any of these materials it should be applied for on Form WPB-541, filed with the nearest WPB Field Office.

There are two general exceptions to this rule. In the first place, a rating for laboratory instruments and equipment and chemicals may be obtained under the procedure of paragraph (c) of this order. And secondly, the forms indicated below will be used for the items there listed.

granted in the particular authorization, shall apply to material for use in the proposed operation.

B. *Amendments to Construction Standards.* These Construction Standards may be amended from time to time by the issuance of an amended Schedule D to P-98-b. After any such amendment, use of material covered by an authorization on Form GA-1456 Petroleum may be made in accordance with that authorization, or in accordance with any revised Standards.

PART 2—LIMITATIONS ON CONSTRUCTION

(Unless required under the provisions of a WPB order or regulation, none of the limitations of Part 2 of this Schedule applies to use of material in the fabrication or assembly of Class A or Class B products by suppliers regularly engaged in the business of fabricating or assembling such products for sale.)

A. *Principles governing wartime construction.* The principles governing wartime construction are defined in a directive adopted by the WPB and the Army-Navy Munitions Board, May 20, 1940. These principles are interpreted as limiting all construction to a design of the simplest type consistent with structural stability and sufficient only to meet the immediate minimum functional requirements.

The guiding principle should always be to utilize those materials which are most plentiful and which, in the ultimate analysis, will cause the least interference with the production of combat material and the utilization of transportation and power.

B. Structural design. All construction using more than 5 tons of structural steel or more than 5 tons of reinforcing steel (including mesh) or any stress grade lumber shall be designed in accordance with the applicable provisions of the War Production Board Directive No. 8 "National Emergency Specifications for the Design, Fabrication and Erection of Structural Steel for Buildings" as amended, and/or Directive No. 9 "Design of Reinforced Concrete Buildings" as amended, and/or Directive No. 29 "Design, Fabrication and Erection of Stress Grade Lumber and its Fastenings for Buildings" as amended.

C. Structural steel. Construction requiring the use of structural steel should not be employed when masonry or plain or reinforced concrete using forms as called for under M-3 below can be used.

1. Junior beams may not be used.

D. Steel plates. 1. Plates may not be used except for:

- a. Closed pressure tanks.
- b. Structural connections.
- c. Column bases and bearing plates.
- d. Where necessary for connections and reinforcing when used for repair and strengthening of bridges.

E. Steel sheet and strip. 1. The use of steel sheet and strip, plain or formed, is prohibited except for the following:

- a. Evacuation tubes, superimposed upon fans, not exceeding 30 feet in height.
- 2. The use of the following manufactured items (purchased as such) when made from sheet or strip is prohibited:

Bins
Bookstacks
Bridge Splash Guards
Culverts
Concrete Pile Casings
Corner, door and column guards
Flooring
Joists
Portable Buildings
Roofing and Siding
Shower Stalls
Scuppers
Smoke Stacks
Termite Shields heavier than No. 24 U. S. gauge

Trench Covers
Ventilation and heating ducts except for transitions, fittings, connections, and changes in direction, and for straight runs where metal is required by applicable building codes.

F. Railroad track and craneways.

1. Except for operating railroads, the following are prohibited:

- a. New rails over 60 pounds per yard.
- b. New metal ties and tie plates.
- c. Used tie plates, except for rails weighing 60 pounds or less per yard, and turnouts, crossovers, curves of more than 4 degrees, and bridge track of any weight.

G. Hardware. 1. The use of checking floor hinges and hydraulic door closers is prohibited except as follows:

- a. Where self-closing function is required by applicable fire regulations.
- b. For exterior entrance and exterior exit doors of public and industrial buildings.
- c. Where essential in hospitals except for patients rooms.

H. Metal lath. 1. The use of metal plastering base and accessories is prohibited for exterior use, except as permitted in paragraph 3 below.

2. The use of metal plastering base and accessories is prohibited for interior use except:

- a. Cornerite, stripite, corner bead and flush base screed

b. In hospitals, detention, asylum and school buildings

(1) Under wood joists subject to fire hazard (as defined by applicable building codes), and under bar or concrete joists, and where furred ceilings are required

(2) For resistance to earthquakes where required by applicable codes

(3) For chases, pipe furring and wood stairways

(4) Where Portland cement plaster is used as a functional requirement

3. The restrictions in 1 and 2 above do not restrict the use of (1) combination form and reinforcement for cast-in-place slabs (2) woven or welded steel wire, cloth, fabric or netting without paper or other backing for exterior stucco base.

I. Aluminum. 1. The use of aluminum in construction is prohibited except:

- a. For electric bus bars, bare electrical conductors, and current carrying accessories for conductors

b. Where essential for processing

2. The use of more aluminum or aluminum of a better grade than is necessary for the proper operation of an article or part is prohibited.

3. The use of paint containing aluminum pigment or aluminum composition is prohibited except for:

- a. Sealing of bituminous coated surfaces
- b. Interior use in industrial plants and for industrial equipment, where excessive moisture, fumes or temperature prevail
- c. Surfaces in the interior of dairies, milk bottling plants, and food processing plants
- d. Outdoor storage tanks used for petroleum products and volatile chemicals

J. Copper and copper-base alloys. The use of copper and copper-base alloys (new or used) is prohibited for the following:

- 1. Pipe or tubing including fittings except:
 - a. Where essential for processing
 - b. Solder nipples or ferrules
- 2. Building materials, whether fabricated or unfabricated, as follows:

Access panels
Anchors and dowels
Cornices
Drip pans
Fences and gates
Cooling towers, except for current carrying parts and bearings and worm gears for speed reducers and heat exchangers
Decorative metal work
Flashings and flashing valley lining
Gravel stops and snow guards
Grilles, grids and gratings
Gutters, leaders, downspouts, sheet metal expansion joints and accessories thereto
Lightning rods, cables and accessories
Louvers and marquees
Mouldings and trim
Nails, bolts, screws, nuts, rivets, washers and expansion shields
Ornamental metal work
Partitions
Railings
Reglets
Radiators, shields and covers
Roofs, roofing and other roofing items
Sheet, roll, strip and rod for construction
Sinks and drain boards
Stair treads, nosing and edgings
Store fronts
Strip for laying linoleum
Terrazzo strip
Termite shields
Thresholds and saddles
Tie rods
Ventilators and skylights
Vents

Weatherstripping and insulation
Window frames and sills

K. Tin. The use of tin and tin products is prohibited except as follows:

1. Solder:

a. Not over 38% tin in solder for wiping water service pipe, connecting the piping of a structure with the outside water main

b. Not over 32½% tin in solder for wiping the joints of lead sheathed cable where watertight connections are necessary.

c. Solder for electrical connections may be used only to the extent that solderless connectors, not containing copper or copper-base alloys, will not serve

d. Not over 30% tin in solder for fabrication or repair of galvanized sheet metal work

e. Not over 21% tin in solder for other uses

2. Roofing—but only tin plate for repair purposes.

3. Fuses, fuse plugs, and sprinkler head fuses.

L. Zinc. 1. The use of zinc and zinc products is prohibited except for:

- a. Protective coating
- b. Weatherstripping
- c. Fuse and fuse plugs
- d. Grids in floor of hospital operating and operating service rooms.

M. Lumber and lumber products. Construction requiring the use of lumber 2" nominal thickness or less for framing of walls, floors, partitions, ceilings, and roofs should not be employed where other types of construction can be used.

1. Where lumber 2" nominal thickness, less than 8" nominal width and lumber less than 2" nominal thickness must be used, it shall only be obtained from cutting local wood lots or from resawing or ripping sizes larger than 2" x 6" specifically for the project. (This restriction does not apply when the total amount of such lumber required is less than 2.5 MBM)

2. The use of lumber is prohibited for the following:

- a. Sheathing of walls and roofs
- b. Facing of partitions and ceilings
- c. Siding
- d. Fencing
- e. Sub-floors

3. Forms for concrete construction are restricted to the use of metal forms, used lumber, reusable forms (including traveling), and water resistant plywood (see 7 below). To the extent that these types of forms are not available, lumber in any size may be used provided that lumber 2" nominal thickness, less than 8" nominal width, and lumber less than 2" nominal thickness is obtained from cutting local wood lots or from resawing or ripping sizes larger than 2" x 6" specifically for the project. (This restriction does not apply when the total amount of such lumber required is less than 2.5 MBM).

4. The use of common grades of any kind of wood is prohibited for mill work and trim.

5. The use of end grain block flooring other than Douglas Fir is prohibited except for repair and maintenance of existing floors of this type.

6. The use of Hardboard is prohibited.

7. The use of softwood plywood is prohibited except highly water resistant type when used for concrete forms (maximum reuse).

The salvage of all reusable lumber, not specifically incorporated in a structure, is mandatory and its destruction is prohibited. Such lumber shall be made immediately available for reuse.

N. Plumbing and heating. 1. The use of pipe of weights heavier than required to meet maximum working pressure at the site is prohibited.

2. The use of metal sewer pipe outside the building is prohibited except for:

- a. Vents
 - b. Within 5 feet of the building
 - c. Cast iron pressure mains
3. The use of valves over 2" size with brass or bronze bodies is prohibited.
4. The use of condensate and vacuum pumps is prohibited except that a single pump is permitted on any heating system where the condensate cannot return to the boiler by gravity or when the design of the heating system requires that a high vacuum must be maintained.

O. *Mechanical ventilation.* 1. The use of mechanical ventilation is prohibited except for:

- a. Areas without natural ventilation.
- b. Hospital spaces.
- c. Spaces where industrial processes make its use mandatory.
- d. Interior toilet rooms and kitchens where gravity ventilation will not suffice.

2. Ventilation systems for winter operation in locations as outlined above shall be of the re-circulatory type, with quantity of make-up and exhaust air reduced to the minimum required to meet health requirements.

P. *Electrical work.* 1. The use of electrical wire and cable in sizes larger than the minimum size permitted by the 1940 National Electrical Code as amended is prohibited.

2. The use of rigid metallic conduit is prohibited except for the minimum sizes permitted by the 1940 National Electrical Code as amended and then only:

- a. In any size when the installation is in a hazardous location as defined by the 1940 National Electrical Code, Classes 1 to 4 inclusive.
- b. In sizes over 2".

(1) For safety purposes as protection against mechanical injury.

(2) In wet locations as defined in Article 100 of the 1940 National Electrical Code.

(3) Where electrical conductors are to be enclosed within concrete or masonry.

c. In sizes 2" and under to suspend an industrial lighting fixture.

3. The use of electrical metallic tubing is prohibited except for the minimum sizes permitted by the 1940 National Electrical Code as amended and then only:

a. For safety purpose as protection against mechanical injury.

b. Where electrical conductors are to be enclosed within concrete or masonry.

c. When run in elevator hoistways for elevator power, control and signal wiring.

d. In wet locations as defined in Article 100 of the 1940 National Electrical Code.

e. To suspend an industrial lighting fixture.

4. The use of flexible metallic conduit or tubing is prohibited except for the minimum sizes permitted by the 1940 National Electrical Code as amended and then only:

a. To provide a flexible enclosure for:

(1) Electric wire or cable which is a component part of a machine.

(2) Electric wire or cable extending less than twelve (12) feet from electrical systems to current consuming devices or control equipment.

5. Armored cable (BX cable) may be used only for:

a. Uses permitted for flexible metallic conduit in Item P-4.

b. Remodeling and conversion of fireproof structures.

c. Control systems in connection with boilers.

d. Exterior lighting is prohibited except when mounted on buildings.

Q. *Standby and emergency equipment.* Standby and emergency equipment is prohibited.

PART 3—PRODUCTS AVAILABLE WITHOUT SUPPLEMENTAL APPLICATION

A. *Explanation.* To secure any item listed in this Part 3, the operator must list and justify the use of the item in Section C of PAW Form 30. An operator is not required to submit for any such item a separate application form (even if otherwise required by the provisions of a WPB order).

B. *Items available without supplemental application:*

Item	Refer to Order
Air conditioning and refrigerating equipment	L-38
Cooking equipment, commercial, electric appliances	L-65
Cooking equipment, commercial, heated by oil, wood, coal or gas, including coffee urns, steam tables, ranges, etc., new or used	L-182
Dishwasher, commercial, new or used	L-248
Dumb-waiters, electrically operated, new	L-89
Elevators, new	L-89
Fire protective, signal and alarm equipment	L-39
Laundry equipment	L-91
Pneumatic tube delivery systems	L-193
Scales, if \$500 or more for any single scale	L-190
Signal, public address and intercommunication systems (electronic)	L-265
Sterilizer equipment	L-266
Stokers, Class A, grate area under 36 sq. ft., over 60 pounds capacity per hour	L-75
Telephone switching equipment or carrier equipment costing in excess of \$2,500.	
Vault doors	L-142
Manila, Agave, Istle, Hemp (Cannabis Sativa), Sunn Hemp, Raffia, Flax, Jute, Coir yarn and other fibers, when used for cordage; and cordage products made primarily therefrom	M-328

SCHEDULE E—INSTRUCTIONS FOR DIRECTING COMMUNICATIONS TO PAW DISTRICT OFFICES

District 1: (Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, District of Columbia). Direct communications to Petroleum Administration for War, 1104 Chanin Building, 122 East 42 Street, New York 17, New York. Ref: P-98-b.

District 2: (Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota). Direct communications to Petroleum Administration for War, 1200 Blum Building, 624 South Michigan Avenue, Chicago 5, Illinois (or) 410 Beacon Building, 406 South Boulder Avenue, Tulsa 3, Oklahoma. Ref: P-98-b.

District 3: (Alabama, Mississippi, Louisiana, Arkansas, Texas, New Mexico). Direct communications to Petroleum Administration for War, 245 Melle Esperson Building, Houston 1, Texas. Ref: P-98-b.

District 4: (Montana, Wyoming, Colorado, Utah, Idaho). Direct communications to Petroleum Administration for War, 320 First National Bank Building, Denver 2, Colorado. Ref: P-98-b.

District 5: (Arizona, California, Nevada, Oregon, Washington, Territory of Alaska). Direct communications to Petroleum Administration for War, 855 Subway Terminal Building, Los Angeles 13, California. Ref: P-98-b.

[F. R. Doc. 44-9289; Filed, June 26, 1944; 11:06 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[General Preference Order E-6, as Amended June 28, 1944]

HAND SERVICE TOOLS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of hand service tools and of alloy steel used in their manufacture, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.51 *General Preference Order E-6—(a) Definitions.* For the purposes of this order:

(1) "Mechanic's hand service tool" means any tool listed on Exhibit A attached hereto.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(3) "Producer" means any person engaged in the production of mechanics' hand service tools.

(4) "WPB-547 order" means any order for mechanics' hand service tools now or hereafter placed with a producer by any person acquiring such tools for his own inventory or shelf stock pursuant to a rating assigned on Form WPB-547 (formerly PD-1X).

(5) "Other order" means any purchase order for mechanics' hand service tools except WPB-547 orders.

(6) "Total monthly production" means either:

(i) The total dollar value of each kind of mechanic's hand service tool listed on Exhibit A hereto attached, scheduled to be produced in any given month by a producer, including both special and standard tools of that kind; or

(ii) The total number of units of each kind of mechanic's hand service tool listed on Exhibit A hereto attached, scheduled to be produced in any given month by a producer.

(b) *Restriction on use of steel.* No producer shall manufacture any mechanics' hand service tools out of any alloy steel except those which are in the series specified in Exhibit B hereto attached or except pursuant to specific permission of the War Production Board.

(c) *Allocation of production between WPB-547 orders and other orders.* Commencing with the month of July 1943 and each month thereafter, each producer shall schedule his total monthly production and the delivery thereof as follows:

(1) To the extent that he has WPB-547 orders on hand, he shall schedule between 20 and 25 percent of his total monthly production of each kind of mechanic's hand service tool specified in Exhibit A hereto attached for delivery against WPB-547 orders requiring de-

livery in such month. No producer shall schedule any order pursuant to this paragraph (c) (1) unless it clearly appears from such order that the rating applied thereto was assigned on Form WPB-547 (formerly PD-1X).

The sequence of deliveries on WPB-547 orders within the percentage limitation thereon which may be delivered in any given month shall be scheduled according to applicable War Production Board regulations.

(2) To the extent that he has other orders on hand, he shall schedule between 75 and 80 percent of his total monthly production of each kind of mechanic's hand service tool specified in Exhibit A hereto attached for delivery against other orders requiring delivery in such month.

The sequence of deliveries on other orders within the percentage limitation thereon which may be delivered in any given month shall be scheduled according to applicable War Production Board regulations.

(3) Any portion of the percentage allocated to WPB-547 orders which has not been taken up by such orders on or before the fifteenth day of the month preceding the month being scheduled, shall be scheduled for delivery against other orders, and vice versa.

(d) *Necessity for preference ratings and authorizations to place orders.* Notwithstanding any other provisions of this order:

(1) No producer shall sell or deliver any mechanics' hand service tools pursuant to any purchase order placed prior to June 12, 1943 unless such order bears a preference rating of A-9 or higher, nor shall any producer sell or deliver any mechanics' hand service tools pursuant to any purchase order placed subsequent to June 12, 1943 unless such order bears a preference rating of AA-5 or higher, or except pursuant to specific permission of the War Production Board.

(2) [Deleted Feb. 19, 1944]

NOTE: Specific authorization to purchase certain types of mechanics' hand service tools is now required by Table 12 under General Scheduling Order M-293.

(e) *Restrictions on inventory.* On and after June 12, 1943, no person purchasing more than ten mechanics' hand service tools of any kind specified on Exhibit A shall accept delivery of any such tools the delivery of which will effect an increase in his inventory beyond a supply required by his current practices for use or for resale during a sixty-day period. In the event that the provisions of Suppliers' Inventory Limitation Order L-63 as applied to any supplier as defined in that order are more restrictive, such provisions shall govern. The restrictions on inventory contained in this paragraph (e) shall not apply to the following designated types of purchase orders:

(1) Purchase orders for mechanics' hand service tools made pursuant to the

purchaser's special design or specifications which are not standard items in the producer's production schedules.

(2) Purchase orders placed by the Army, Navy, or Maritime Commission for mechanics' hand service tools required for bases or supply depots outside the continental United States (comprising the several States and the District of Columbia), or for bases or supply depots within the continental United States which are maintained for emergency purposes, or to supply such bases or supply depots outside the continental United States.

(3) Any other purchase order specifically excepted from this restriction by the War Production Board.

(f) *Repair parts.* Nothing in this order shall be construed to prevent the sale and delivery of repair parts for mechanics' hand service tools in accordance with applicable regulations and orders of the War Production Board concerning repair parts.

(g) [Revoked Feb. 19, 1944]

(h) *Applicability of General Scheduling Order M-293.* Those mechanics' hand service tools which are listed on the schedule attached to General Scheduling Order M-293 are also subject to the terms and provisions of that order.

(i) *Reports.* Each producer shall execute and file with the War Production Board Form WPB-2057 and such other reports and questionnaires as said Board may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *Appeals.* Any appeal from the provisions of this order shall be made on Form WPB-1477 (formerly PD-500) or by letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal. All appeals should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board.

(l) *Communications.* All reports, appeals, and other communications concerning this order shall be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref.: E-6.

(m) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control

and may be deprived of priorities assistance.

Issued this 26th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A

Mechanists' ball peen hammers.
Mechanics' cold chisels and punches.
Metal cutting files.
Metal cutting snips and shears.
Metal working punches, lever type.
Piston ring compressors.
Fillers, slip joint.
Fillers, cold joint.
Ring groove cleaning tools.
Screw drivers, all types.
Spring testers: Valve or clutch spring.
Tool boxes, industrial, wood or metal.
Valve spring compressors.
Wrenches, adjustable auto.
Wrenches, adjustable, 22½° angle.
Wrenches, box.
Wrenches, monkey.
Wrenches, open end and combination box.
Wrenches, pipe.
Wrenches, socket and driving units.

NOTE: Tools subject to L-63-b are not included herein.

EXHIBIT B

NE 1000 Series with or without Boron or Vanadium addition agents
NE 1300 Series
NE 8300 Series
NE 8700 Series
NE 9200 Series
NE 9400 Series

[F. R. Dec. 44-9291: Filed, June 26, 1944; 11:06 a. m.]

PART 3291—CONSUMERS DURABLE GOODS
[Limitation Order L-260-a, as Amended June 23, 1944]

FURNITURE AND FURNITURE PARTS

The fulfillment of requirements for the defense of the United States, has created a shortage in the supply of wood and other critical materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.66 *General Limitation Order L-260-a—(a) What this order does.* This order governs the manufacture and distribution of furniture. It restricts the use of certain materials in the production of furniture both for civilian use, and for all other uses, including Army, Navy or other Governmental orders.

(b) *Definitions.* For the purposes of this order:

(1) The term "manufacturer" means any person who makes, assembles, finishes or upholsters any new furniture.

(2) "Furniture" as used in this order means all articles commonly known as

furniture including, but not limited to, products shown on List I, but not including products shown on List II.

(3) "Wood" means furniture parts and all sawed lumber including round edge, of any size or grade, whether rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines. The term does not include veneer and all-veneer constructed plywood, whether produced or purchased by a manufacturer. Neither does it include slabs, edgings, trims and off-falls less than 3 inches wide or less than 4 feet long when purchased in such form.

(4) "Veneer" means, for the purpose of this order and only for the purpose of this order, a layer of wood $\frac{3}{8}$ inches or less in thickness whether sawn, sliced or rotary cut.

(5) "Furniture parts" as used in this order means parts, unassembled or assembled, intended for use in the production of furniture, including but not limited to, dimension parts whether or not cut to size, machined or partially machined, carvings, turnings, venetian blind slats, moldings, lumber cores used or purchased as such or in the form of plywood.

(6) "Pattern" means any piece of furniture, whether or not containing wood as defined in paragraph (b) (3), having its own identification mark and selling price, except that for the purpose of this order, two or more pieces of furniture identical in every respect other than color, finishing material, fabric, leather or other outer covering or cover, species of wood or veneer, spring construction, content of metal parts or method of joining shall be considered one pattern, whether or not they have the same selling price. A suite of furniture of two or more different pieces shall constitute two or more patterns.

(7) "Upholstery springs" means any type of spring, intended for use in upholstered furniture, whether flat, coiled or otherwise formed, made of metal, including but not limited to, upholsterer's seat springs, spring cushion units, pillow springs, flat or formed under-constructions, spring constructions, spring supporting bars, edgewire and edgewire clips.

(8) "Upholstered furniture" means padded furniture whether or not containing upholstery springs.

(c) *Restrictions on use of wood.* During any calendar quarter, no manufacturer shall use in the manufacture and crating of furniture more than 21% of the amount of wood which he used for these combined purposes in the calendar year 1943. Use of wood shall be measured in board feet, and wood shall be considered used in the quarter in which it is first changed from the form in which it was received or is first assembled, finished or upholstered. In computing the amount of wood used in items such as furniture parts or as assembled furniture, bought otherwise than by gross

board-foot measurement, a manufacturer may convert it to board feet by any reasonable and consistent method.

(d) *Restrictions on receipt of wood.* No manufacturer shall accept any delivery of wood, which, added to all inventory on hand, including wood in dry kilns, will give him a supply greater than:

(1) 42% of the amount of wood (which requires kiln or air drying prior to use) consumed by him in the production of furniture in 1943.

(2) 21% of the amount of other wood, consumed by him in the production of furniture in 1943.

(e) *Restrictions on patterns.* (1) Until June 1st, no manufacturer shall at any one time be engaged in processing, fabricating, assembling or offering for sale in combined total more than 35% of the total number of patterns of furniture offered for sale by him during the month of September, 1941, or 24 patterns, whichever is greater.

(2) On and after June 1, 1944, no manufacturer shall at any one time be engaged in processing, fabricating, assembling or offering for sale in combined total more than 25% of the total number of patterns of furniture offered for sale by him during the month of September, 1941, or 24 patterns, whichever is greater.

(3) No manufacturer shall produce or offer for sale any pattern of furniture which had not been offered for sale by him prior to March 15, 1943, or any pattern which has not been specifically authorized in writing by the War Production Board.

(4) Request for specific authorization to make a change in patterns should be made by letter addressed to the War Production Board, Washington, 25, D. C., Ref: L-260-a.

(5) The provisions of this paragraph (e) do not apply to the manufacture of the following: (i) venetian blinds; (ii) furniture to fill any order, contract or subcontract placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or the Federal Public Housing Authority.

(f) *Restrictions on the use of metal.*

(1) No manufacturer shall use in the production of upholstered furniture in any calendar quarter more metal upholstery springs than $12\frac{1}{2}\%$ by weight of the total weight of metal upholstery springs used by him in the year 1941.

(2) No manufacturer shall use in the production of furniture any steel sheet or strip which is 12 inches or more in width.

(g) *Small manufacturers excluded.*

This order does not apply to any manufacturer in any quarter in which his sales of furniture are less than \$5,000.00 provided that his sales did not exceed \$20,000.00 in any of the years 1941, 1942, or 1943.

(h) *Equitable distribution to retailers.* It is the policy of the War Production

Board that furniture not required to fill rated orders be distributed equitably to retailers giving due regard to established trade connections and also to the needs of dealers whose usual supplies have been cut off and diverted, and to the increased needs of certain areas caused by war conditions. If voluntary compliance with this policy is not found to be sufficient, the War Production Board may issue directions with respect to sales to specified outlets or to outlets in specified areas.

(i) *Finished item deliveries.* No person shall deliver, offer for sale, or accept delivery of any furniture or furniture part which he knows or has reason to believe was made, assembled or delivered in violation of this order.

(j) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(k) *Appeals.* Any appeal from this order should be made on Form WPB-1477 (formerly PD-500) and should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(l) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(m) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(n) *Communications.* All reports required to be filed hereunder and all communications, other than appeals, concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-260-a, as amended.

Issued this 26th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

This list includes certain items subject to this order. It is not intended to be all inclusive.

Item No.	Description
1	Household furniture.
2	Porch and lawn furniture including swings and gliders.
3	Camp furniture.

Item No.	Description
4	Juvenile furniture including baby cribs, high chairs, toilet chairs, nursery toilet seats, and juvenile bathinettes, play pens, and porch and stair gates, table and chair sets, desk sets.
5	Office furniture.
6	Restaurant furniture, portable.
7	Public building furniture (including furniture for schools, theaters, assembly halls, churches, libraries, hospitals.)
8	Office, store fixtures and show cases except refrigerated.
9	Venetian blinds.
10	Barber shop and beauty shop furniture except barber chairs.
11	Store display stands and cabinets.
12	Furniture frames.
13	Wooden filing cabinets.
14	Telephone booths.
15	Folding furniture such as tables, chairs, luggage racks.
16	Storage chests and utility cabinets other than permanent fixtures.
17	Step stools.
18	Reed and rattan furniture.

LIST II

This list includes certain items not covered by this order.

Item No.	Description
1	Metal furniture and fixtures subject to Limitation Order L-13-a, except wood filing cabinets containing not more than two pounds of essential operating steel hardware per drawer, and wood typewriter desks containing metal typewriter mechanisms.
2	Metal household furniture subject to Limitation Order L-62.
3	Bedding products subject to Limitation Order L-49.
4	Hospital, medical and surgical furniture and related equipment subject to Limitation Order L-214.
5	Laboratory equipment subject to Limitation Order L-144.
6	Refrigerators.
7	Wooden lockers, industrial and institutional.
8	Wooden shelving.
9	Wooden factory and industrial equipment.
10	Fixtures specifically designed to be built in or permanently attached.
11	Cafeteria and lunch counters.
12	Woodenware.
13	Drafting tables.
14	Luggage such as footlockers.

INTERPRETATION 1

FURNITURE AND FURNITURE PARTS; REMODELING BY INCLUSION OF SPRINGS

Since the revocation of Order L-135 on January 14, 1944, some question has arisen in connection with the remodeling of padded or upholstered furniture produced prior to that date without springs.

A person who remodels such a completely finished and upholstered item of padded furniture by the mere inclusion of upholstery springs is not engaged in the production of upholstered furniture within the meaning

of Order L-260-a, nor is he a "reconditioner" or "repairman" under CMP Regulation No. 9A. However, if a person adds springs to an item of furniture which had not been completely finished and upholstered prior to that date, he is a manufacturer and subject to the restrictions of that order.

Only a limited number of springs are available for this purpose. To the extent that a spring distributor has upholstery springs available which are not required to fill rated orders, he may sell them on unrated orders. (Issued Apr. 18, 1944.)

[F. R. Doc. 44-9292; Filed, June 26, 1944; 11:06 a. m.]

PART 3293¹—CHEMICALS

[Allocation Order M-19, as Amended June 26, 1944]

CHLORINE

Section 3293.46¹ Allocation Order M-19 is hereby amended in its entirety to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of chlorine for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.46 Allocation Order M-19—(a) Definitions. For the purpose of this order:

(1) "Chlorine" means gaseous and liquid chlorine.

(2) "Producer" means any person engaged in the production of chlorine.

(3) "Distributor" means any person who has purchased or purchases chlorine for resale, except persons who resell exclusively in containers of less than one ton.

(b) Restrictions on use and delivery. (1) No producer or distributor shall use or deliver chlorine except as specifically authorized in writing by the War Production Board upon application pursuant to paragraph (e).

(2) No person shall accept delivery of chlorine from a producer or distributor except upon application pursuant to paragraph (e) (1). Each person who obtains chlorine upon this application shall use it only for the purpose stated in the application. However, if changing circumstances make it impracticable for him to use it for that purpose, he may apply to the War Production Board on Form WPB-2903 or by letter (3 copies) for authority to use it for some other specified purpose.

(3) If the balance of supply and demand on which chlorine allocations have been based is affected by unexpected losses in production or emergency military demands, the War Production Board may make such adjustments as are necessary by directions to any per-

¹ Formerly Part 960, § 960.1.

son to or from whom chlorine has been allocated, revising the quantities and permitted uses specified in the previous allocations, and by making any required additional allocations.

(4) The War Production Board may from time to time issue special directions to any producer with respect to production of chlorine.

(c) Exemptions. (1) The restrictions of paragraphs (b) (1) and (b) (2) shall not apply to the following:

(i) Delivery, acceptance of delivery and use of chlorine in containers of less than one ton capacity.

(ii) Delivery and acceptance of delivery of chlorine for use, or for resale for use, for water treatment (industrial, potable, sewage), or for swimming pool sanitation: *Provided, however, That each person placing a purchase order for chlorine under this exemption (in containers of a ton or more capacity) shall certify on the purchase order "Under par. (c) (1) (ii) M-19".*

(2) No person shall accept delivery of chlorine under paragraph (c) (1) if his inventory of chlorine exceeds, or as a result of acceptance would exceed, a 30 day supply on the basis of his current method and rate of operation, unless the amount ordered is the smallest practical delivery unit. No producer or distributor shall deliver a greater aggregate amount under paragraph (c) (1) than he has been specifically authorized to deliver for this purpose.

(d) Placing of orders. Each person ordering chlorine from any supplier, including persons ordering chlorine under paragraph (c), should place his order for chlorine on or before the 5th day of the month preceding the period for which delivery is requested if his supplier is a distributor, or the 10th day if his supplier is a producer. No producer or distributor shall be required to fill any order for chlorine which is not placed in accordance with this paragraph.

(e) Applications and reports. (1) Each producer and each distributor seeking authorization to use pursuant to paragraph (b) (1), and each person applying for delivery pursuant to paragraph (b) (2), shall apply to the War Production Board on Form WPB-2903 (formerly PD-190), which form shall be prepared and filed in the manner prescribed therein.

(2) Each producer and each distributor seeking authorization to deliver chlorine, either directly to consumers or through distributors, shall apply to the War Production Board on Form WPB-927 (formerly PD-191), which form shall be prepared and filed in the manner prescribed therein.

(3) The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(4) In addition, the War Production Board at its discretion may require additional information on chlorine, or may

issue special instructions regarding preparing and filing Forms WPB-2908 and 927, subject to approval by the Bureau of the Budget when required by the Federal Reports Act of 1942.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable War Production Board regulations, as amended from time to time.

(2) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* Communications concerning this order should be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-19.

Issued this 26th day of June 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9290; Filed, June 26, 1944;
11:06 a. m.]

Chapter XI—Office of Price Administration
PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,¹ Amdt. 5]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 16 is amended in the following respects:

1. Section 2.3 (g) is amended to read as follows:

(g) *How consumers acquire and use tokens.* If the consumer is unable to give up points exactly equal to the point value of the foods acquired by him because he does not have stamps, certificates, ration coupons, or ration checks of sufficiently small value to make up the proper amount, he may give up, and the transferor may accept, stamps, certificates, ration coupons, or ration checks of the nearest higher value, and the transferor must return the excess number of points to the consumer in the form of tokens.

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 16834, 16839, 17372, 16893, 17278, 17306; 9 F.R. 105, 184, 731, 1181, 1819, 2091, 2007, 2788, 2477, 2553, 2848, 2830, 2789, 3092, 3707, 3581, 4107, 4605, 4607, 4877, 5315, 5586.

Tokens may be used to acquire foods covered by this order only if the tokens were acquired in a way provided for by this order. A transferor may accept tokens from a consumer, unless he knows or has reason to believe that they were not acquired by the consumer in a way provided for by this order.

2. The first sentence of section 16.10 (a) is amended to read as follows:

Beginning February 27, 1944, tokens may be used to buy or acquire foods, to give change to consumers when they buy or acquire such foods and to give to consumers for household salvage fats.

3. Section 16.11 is added to read as follows:

SEC. 16.11 *Tokens which may not be used must be surrendered.* (a) A person who has any tokens which he acquired in a way not provided for by this or any other order of the Office of Price Administration must not use them for any purpose but must surrender them to a board.

This amendment shall become effective June 30, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729; 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319)

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9301; Filed, June 26, 1944;
11:44 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[RMFR 183, Corr. to Amdt. 41¹]

POTATOES IN PUERTO RICO

The price of potatoes in Table 41, section 50 is corrected to read as follows:

	Sales to wholesalers (per 100 lb.)	Sales at wholesale		Sales at retail (per lb.)
		At seller's warehouse (per 100 lb.)	Delivered to retailer (per 100 lb.)	
Potatoes.....	\$4.25	\$4.55	\$4.65	\$0.06

This correction shall become effective June 26, 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9310; Filed, June 26, 1944;
11:42 a. m.]

¹ 9 F.R. 6884.

PART 1358—TOBACCO

[MPR 260,¹ Amdt. 8]

CIGARS, CIGAR CUTTINGS AND CLIPPINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 260 is amended in the following respects:

1. The title of the regulation is amended to read: "Cigars, Cigar Cuttings and Clippings".

2. Section 1358.101a is added to read as follows:

§ 1358.101a *Prohibition against sales of cigar cuttings and clippings above maximum prices.* On and after June 23, 1944 regardless of any contract, agreement, lease or other obligation:

(a) No person shall sell or deliver any cigar cuttings and clippings at a higher price than the maximum price established by this regulation.

(b) No person shall buy or receive any cigar cuttings and clippings in the course of trade or business at a higher price than the maximum price established by this regulation.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

3. Section 1358.102b is added to read as follows:

§ 1358.102b *Maximum price for cigar cuttings and clippings.* The maximum price for sales to any purchaser of any type of cigar cuttings and clippings in any quantity shall be 30 cents per pound f. o. b. seller's customary shipping point. That price includes all charges for packing and packaging materials customarily furnished by the seller during March 1942 in his sales of cigar cuttings and clippings of the same type.

4. Section 1358.109 (a) is amended to read as follows:

(a) The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale or delivery of, or relating to the sale of cigars or cigar cuttings and clippings either alone or in conjunction with each other or any other commodity, or by way of commission, service, transportation, or any charge or discount, premium or other privilege, or by tying agreement, trade understanding or otherwise.

5. Section 1358.109 (b) (1) is amended to read as follows:

(1) In the determination of maximum prices of cigars, the reduction or elimination by a seller (other than a seller at retail) of his customary promotional,

¹ 7 F.R. 8997, 10255, 10475, 11113; 8 F.R. 1974, 2208, 4476; 9 F.R. 3037, 3710.

advertising or other allowances and discounts or price differentials existing in March 1942, whether due to freight or otherwise.

6. Section 1358.109 (b) (3) is added to read as follows:

(3) Elimination of the seller's customary cash discounts on sales of cigar cuttings and clippings or deviations from the seller's customary practice with respect to moisture content, size, and preparation for sale of cigar cuttings and clippings, normal variation excepted.

7. Section 1358.112 (g) is added to read as follows:

(g) "Cigar cuttings and clippings" means cigar scrap, cuttings, clippings, sweepings, siftings and scraps or pieces of tobacco resulting from cigar manufacturing.

This amendment shall become effective June 23, 1944.

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9180; Filed, June 23, 1944;
3:54 p. m.]

PART 1386—SOAP AND GLYCERINE

[MPR 390, Incl. Amdt. 1-6]

HOUSEHOLD SOAPS AND CLEANSERS SOLD BY RETAIL FOOD STORES

This compilation of Maximum Price Regulation 390 includes Amendment 6, effective June 24, 1944. The text added or amended by Amendment 6 is underscored.

In the judgment of the Price Administrator, it is necessary to issue a regulation establishing dollars and cents maximum prices for retail sales of household soaps and cleansers by retail food stores.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.²

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

[Above sentence added by Supplementary Order 67, 8 F.R. 12555, effective 9-11-43]

§ 1386.51 *Maximum prices for household soaps and cleansers sold by retail food stores.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 390

¹ 8 F.R. 6428.

² Statements of consideration are also issued with amendments. Copies may be obtained from the Office of Price Administration.

(Household Soaps and Cleansers Sold by Retail Food Stores), which is annexed hereto and made a part hereof, is hereby issued.

MAXIMUM PRICE REGULATION No. 390—HOUSEHOLD SOAPS AND CLEANSERS SOLD BY RETAIL FOOD STORES

ARTICLE I—GENERAL PROVISIONS

Sec.

1. Geographical applicability.
2. What this regulation does.
3. Your ceiling prices.
4. When the new ceiling prices take effect.
5. Posting and marking requirements.
6. Records, sales slips and receipts.
7. Licensing.
8. Indirect price increases.
9. Prohibitions.
10. Definitions.

ARTICLE II—SPECIAL PROVISIONS

11. How you figure the annual gross sales of your store in most cases.
12. How you figure your annual gross sales in certain special cases.
13. How you find your annual gross sales if you are a new retailer.
14. Transfer of business or stock in trade.
15. Retail sales taxes.
16. Petitions for amendment and applications for adjustment.

ARTICLE III—CEILING PRICES

17. Maximum prices for sales of household soaps and cleansers by group 1 stores.
18. Maximum prices for sales of household soaps and cleansers by group 2 stores.
19. Maximum prices for sales of household soaps and cleansers by group 3 and 4 stores.

AUTHORITY: § 1386.51 Issued under 56 Stat. 23, 765; Pub. Law 161, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

ARTICLE I—GENERAL PROVISIONS

SECTION 1. *Geographical applicability.* The provisions of this regulation are applicable to the continental United States.

[The word "class" wherever it appears in sections 2, 3, 5, 12, 13, 14, 16, 17, 18, and 19 is amended to read "group" by Am. 2, 8 F.R. 9380, effective 7-13-43]

SEC. 2. *What this regulation does.*

(a) This regulation fixes maximum or ceiling prices on all retail sales of household soaps and cleansers made by retail food stores on and after May 24, 1943. Different ceiling prices are fixed for sales made by different groups of retail food stores. Household soaps and cleansers are defined in section 10 of this regulation. Retail food store means a store in which 50 per cent or more of the gross dollar sales volume is from the sale of food products or the food department of any store.

[Paragraph (a) amended by Am. 6, effective 6-24-44]

(b) This regulation does not apply to sales of household soaps and cleansers by retailers other than retail food stores. For example, it does not apply to sales by drug stores, 5 and 10 cent stores, dry goods stores, and mobile retail units.

The maximum prices for sales by such sellers are fixed by the General Maximum Price Regulation¹ and the seller's maximum price is that determined under the General Maximum Price Regulation.

¹ 9 F.R. 1385, 5169, 6106.

SEC. 3. *Your ceiling prices.* (a) You will find your ceiling prices in that section which sets maximum prices for your group of store. Each of these sections contains a list of specific dollars and cents maximum prices for the most widely distributed brands of household soaps and cleansers. It also contains directions on how to figure maximum prices for household soaps and cleansers which are not listed there.

[Paragraph (a) amended by Am. 6, effective 6-24-44]

(b) *Your group of store.* (1) Your store is in group 1 if it is an "independent retail food store" with an annual gross sales volume less than \$50,000. Ceiling prices for group 1 are set out in section 17.

(2) Your store is in group 2 if it is an "independent retail food store" with an annual gross sales volume of \$50,000 but less than \$250,000. Ceiling prices for group 2 are set out in section 18.

(3) Your store is in group 3 if it is a "chain retail food store" with an annual gross sales volume less than \$250,000. Ceiling prices for group 3 are set out in section 19.

(4) Your store is in group 4 if it is either a "chain or independent retail food store" with an annual gross sales volume of \$250,000 or more. Ceiling prices for group 4 are set out in section 19.

Specific directions for figuring your annual gross sales volume are set out in sections 11, 12, and 13 of this regulation.

(c) *Reclassification of store groups.* Effective May 25, 1944, this regulation requires that the year 1943 be used for figuring your "annual gross sales" instead of the year 1942. If you find that as a result of that change, your store is now in a group different from the one it was in before, you must, after June 15, 1944, use the ceiling prices fixed for the group in which you are now classified.

[Paragraph (c) amended, former (c) redesignated (d) by Am. 5, 9 F.R. 5304, effective 5-23-44]

(d) *New size packs.* Manufacturers may be required to change the size of packs in the tables of sections 17, 18, and 19 below, in compliance with War Production Board Limitation Order No. 317, Fibre Shipping Containers, dated March 23, 1944, which order is designed to conserve paper board. This change has no effect on your maximum prices listed in the tables or otherwise determined as required, because these maximum prices per unit contained in the pack regardless of the size of the pack.

[Paragraph (d), formerly (c), added by Am. 4, 9 F.R. 4449, effective 5-5-44, and amended by Am. 5, 9 F.R. 5304, effective 5-23-44]

SEC. 4. *When the new ceiling prices take effect.* When the ceiling prices fixed by this regulation take effect on May 24, 1943, they will take the place of all previous ceiling prices fixed by the Office of Price Administration for sales of all household soaps and cleansers by

retail food stores. On and after May 24, 1943, you may not sell any household soap or cleanser at a price higher than the ceiling price fixed by this regulation. You may sell any of these products at a price lower than the ceiling price.

SEC. 5. Posting and marking requirements.—(a) *Posting your ceiling prices.* After you have found your group of store, you should apply to your local War Price and Rationing Board which will supply you with a list of maximum prices for your group of store setting out in dollars and cents the prices for all brands of household soaps and cleansers listed in this regulation. You are required to post this list in plain view of your customers either at the points in your store where the soaps and cleansers you sell are displayed or at the points where purchases of soap are ordinarily paid for. In addition to posting this list of prices, you are required to figure your maximum prices for all unlisted brands of soap and cleansers and unbranded and bulk soaps and cleansers you sell. You must also post these prices at the places specified above.

(b) *Marking the classification of bulk soap or cleanser.* ("Bulk soap or cleanser" is defined in section 10 of this regulation.) If you offer bulk soap or cleanser for sale, you must mark on the barrel or other container from which you sell such bulk soap or cleanser the classification of the contents, whether bar toilet soap, bar laundry soap, cleanser or scouring powder, package soap, or washing powder. If such barrel or other container is not marked and in plain view of your customers at the point of sale, or if you put the bulk soap or cleanser in a paper bag, sack or other package before offering it for sale, you must mark the proper classification of that bulk soap or cleanser on the package. These various classifications of soaps and cleansers will be identified on your sellers' invoices and are also defined in section 10 of this regulation.

[Sec. 5 amended by Am. 4, 9 F.R. 4440, effective 5-5-44 and Am. 6, effective 6-24-44]

SEC. 6. Records, sales slips, and receipts. (a) *Records.* After May 23, 1943, you must keep the records listed below for so long as the Emergency Price Control Act of 1942, as amended, remains in effect:

(1) The kinds of records you have customarily kept showing the prices you charge for household soaps and cleansers.

(2) Records showing how you figured your maximum prices for unlisted household soaps and cleansers under the regulation.

(3) All records of household soaps and cleansers which you were required to keep under the General Maximum Price Regulation.

(4) Records showing how you figured your maximum prices for bulk soaps and

cleansers, including bulk soap and cleanser purchased by you from the wholesaler in bars or packages which are, or are required to be marked, "Packaged from bulk," as well as the bulk soap and cleanser purchased by you in barrels and other large containers.

[Subparagraph (4) added by Am. 6, effective 6-24-44]

You must show any of the above records to any representative of the Office of Price Administration on request.

(b) *Sales slips and receipts.* If you have customarily given a customer a sales slip, receipt or similar evidence of purchase, you must continue to do so. Furthermore, regardless of your previous custom, you must upon request by any customer give a receipt showing the date, your name and address, the brand name (in the case of bulk soap, the classification thereof according to section 10), and weight or size of the household soap or cleanser, and the price you received for it.

[Paragraph (b) amended by Am. 6, effective 6-24-44]

SEC. 7. Licensing. The provisions of Licensing Order No. 1⁴ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 7 amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

SEC. 8. Indirect price increases. The price limitations set forth in this regulation shall not be evaded directly or indirectly by you, and you shall not require a purchaser to buy or agree to buy any other household soap or cleanser or other article, service, package or wrapper as a condition of selling him a household soap or cleanser nor shall you require him to buy or agree to buy a household soap or cleanser as a condition of selling him any other commodity or any service.

SEC. 9. Prohibitions. On and after May 24, 1943, the date this regulation takes effect, if you sell or deliver any household soap or cleanser at a price higher than your ceiling price, or if you otherwise violate any provision of this regulation, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. Also, any person, who in the course of trade or business, buys from you at a price higher than your ceiling price is subject to the criminal penalties and civil enforcement actions provided for by that Act.

SEC. 10. Definitions. (a) As used in this regulation, the term:

⁴ 8 F.R. 13240.

"Anhydrous soap content" means the anhydrous soap content as determined by the official methods for testing soap set out in Federal Specification P-S-536A for Soap and Soap Products; General Specifications for Sampling and Testing. This document can be obtained from the Superintendent of Documents, Government Printing Office, Washington, D. C.

"Bulk soap or cleanser" means any soap, soap product, soapless detergent or cleanser purchased by a retailer, either:

(1) From a manufacturer or wholesaler, in barrels, large sacks or bags or other sizable quantities, said commodity not having been cut into bars or cakes or packaged in a container of the size and type customarily used in sales for household consumption; or

(2) From a wholesaler, in bars or packages of the size and type customarily used in sales for household consumption which are, or are required, under the provisions of Maximum Price Regulation No. 391, to be marked "This is a bar toilet soap (or bar laundry soap, cleanser or scouring powder, package soap or washing powder) packaged from bulk."

[Above definitions added by Am. 6, effective 6-24-44]

"Chain retail food store" means one of four or more retail food stores under one ownership which jointly have an annual gross volume of \$500,000 or more.

[Above definition amended by Am. 2, 8 F.R. 9380, effective 7-13-43]

"Criminal penalties" means a fine of not more than \$5,000 or imprisonment for not more than one year or both.

"Department store" means a store having at least one department in which food products are sold at retail but in which more than 50 per cent of the gross sales volume is in general merchandise other than food.

"Household soaps and cleansers" means:

(1) Any listed commodity, that is, any commodity for which a dollars and cents maximum price is established by this regulation, or

(2) Any branded or unbranded, cut, packaged, or bulk, soap, soap product, soapless detergent or cleanser similar in type and function to a listed commodity and classified in one of the following categories:

(i) "Bar toilet soap," meaning any bar or cake soap sold for toilet use.

(ii) "Bar laundry soap," meaning any bar soap sold for laundry use, including but not limited to white or yellow bar laundry soap.

(iii) "Cleanser and scouring powder," meaning any soap product containing powdered abrasive material with or without alkali builders.

(iv) "Package soap," meaning any fine fabric or general laundry soap in

the form of chips, flakes, granules, powder or similar forms with base anhydrous soap content of 50 per cent or more, or any soapless detergents which have the same use and purpose as such soaps.

(v) "Washing powders," meaning any soap powders with base anhydrous soap content of less than 50 per cent.

[Above definition amended by Am. 3, 8 F.R. 13499, effective 10-8-43 and Am. 6, effective 6-24-44]

"Independent retail food store" means any retail food store which is not a chain retail food store.

"Person" means an individual, corporation, partnership, association, or any other organized groups of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

"Retail food store" means a store in which 50 per cent or more of the gross dollar sales volume is from the sale of food products or the food department of any store.

"Suits for treble damages" means if any person selling household soaps and cleansers violates this regulation the person who buys such commodity for use or consumption other than in the course of trade or business may bring an action either for \$50 or for three times the amount by which the price paid exceeds the applicable maximum price, whichever is the greater, plus reasonable attorney's fees and costs as determined by the court. If any person selling such commodity violates this regulation and the buyer is not entitled to bring such suit or action, the Administrator may bring such action on behalf of the United States.

"Unit net cost" means the cost of each unit (in the case of bulk soap or cleanser, the cost of each pound) of a commodity to the seller after deducting all discounts and allowances except the cash discounts.

[Above definition amended by Am. 6, effective 6-24-44]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used in this regulation.

ARTICLE II—SPECIAL PROVISIONS

SEC. 11. *How you figure the annual gross sales of your store in most cases.* (a) To find your "annual gross sales," take your total sales for the calendar year 1943, including all sales whether of foods or not, as shown on your books (except sales made by restaurants operated in conjunction with your store). You can use your Federal Income Tax Return to get your gross sales for all or any part of the calendar year 1943 which is covered by such return. If you own more than one store, figure the sales for each store separately, treating each as a separate retailer.

(b) If you were not in operation during the entire year 1943, you must divide

your total gross sales from the time you began operation up to May 25, 1944 by the number of weeks you were in operation. This will give you your weekly average gross sales. Multiply this figure by 52 and the result is your "annual gross sales."

[Sec. 11 amended by Am. 5, 9 F.R. 5304, effective 5-25-44]

SEC. 12. *How to figure your annual gross sales in certain special cases—(a) Department stores.* If you operate a department store, that is, a store in which the greater volume of sales is general merchandise and not foods, and you sell foods in a separate department or departments, then you must find in which group your store falls by using only the gross annual sales of your food departments.

(b) *Stores in which more than one retailer operates.* (1) If you sell foods in a retail store in which more than one retailer sells a complete line of the same general class of food, you are treated as a separate retailer and must find out what group you are in by using only your own annual gross sales.

(2) If you sell food in a retail store in which there are other food retailers, but no two of them sell a complete line of the same general class of food, you must find out what group you are in by taking the combined annual gross sales of all the food retailers in that store.

[Paragraph (b) amended by Am. 2, 8 F.R. 9380, effective 7-13-43]

SEC. 13. *How to find your annual gross sales if you are a new retailer.* (a) If you open an "independent" retail food store on or after May 25, 1944, you may consider your store to be in group 1 and figure your selling prices accordingly. But after you have been in operation for 3 months you must determine again what group your store is in. To do this, take your gross sales for the 3-month period and multiply by 4. Use the result as your "annual gross sales" in order to find in what group your store is. If you find that your store is now in group 2, you must figure and post new ceiling prices on the first of the following month. You must also promptly notify your local War Price and Rationing Board of any change in your group.

(b) If you open a "chain" retail food store on or after May 25, 1944, you may consider your store to be in group 3 and figure your selling prices accordingly. But after you have been in operation for 3 months you must determine again what group your store is in. To do this, take your gross sales for the 3-month period and multiply by 4. Use the result as your "annual gross sales" in order to find in what group your store is. If you find that your store is now in group 4, you must figure and post new ceiling prices on the first of the following month. You must also promptly notify your local War Price and Rationing Board of any change in your group.

[Paragraphs (a) and (b) amended by Am. 5, 9 F.R. 5304, effective 5-25-44]

SEC. 14. *Transfer of business or stock in trade.* If you acquire in any manner the business, assets or stock in trade of any store subject to this regulation after

May 24, 1943, and you carry on the business or continue to deal in household soaps or cleansers in a store separate from any other store previously owned or operated by you, then your ceiling prices shall be the same as those of the former owner as if no transfer had taken place; unless as a result of the transfer the business changes from one group of stores to another, in which case your ceiling prices shall be those fixed for the group to which the store belongs after the transfer. You must keep all records sufficient to verify your ceiling prices. The former owner shall either preserve and make available, or turn over, to you all records of transactions prior to your acquiring the store which are necessary to enable you to comply with the record provisions of this regulation.

SEC. 15. *Retail sales taxes.* Any tax upon or incident to the sale or delivery of a household soap or cleanser for which maximum prices are established by this regulation, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, or any increase in such tax, may be collected by you in addition to the selling price if you state the tax separately and the statute or ordinance imposing such tax or increase does not prohibit you from stating and collecting the tax or increase separately from the purchase price. Similar statements and collections of a tax shall be permitted in addition to the selling price where the tax has been paid by any prior vendor and separately stated and collected from you by the vendor from whom you purchased.

[Sec. 15 amended by Am. 6, effective 6-24-44]

SEC. 16. *Petitions for amendment and applications for adjustment—(a) Petitions for amendment.* Any person seeking any modifications of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1^{*} issued by the Office of Price Administration.

[NOTE: Procedural Regulation No. 6 (7 F.R. 5057, 5065; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications and certain specific regulations listed in Revised Supplementary Order No. 9.]

(b) *Adjustment provisions.* On or before October 30, 1943, any retail food store subject to this regulation may apply to its appropriate State or District Office of the Office of Price Administration for an adjustment of the maximum price established for it upon the sale of any listed household soap or cleanser. Such application must conform to the requirements of Revised Procedural Regulation No. 1 and must

^{*} 9 F.R. 5731.

show in addition to such requirements that:

[Above paragraph amended by Am. 3, 8 F.R. 13499, effective 10-8-43]

(1) The applicant sold the commodity for which price adjustment is sought prior to September 15, 1942, at a price which was higher than the price established by this regulation, and

(2) That as a result of a lawful surcharge for delivery (a charge made by a wholesaler for a delivery in a remote area which is over and above the seller's usual delivery charge in a less remote area) the applicant's unit net cost exceeds the price for the commodity upon a service sale by a wholesaler who buys in less than carload quantities as set out in Maximum Price Regulation No. 391 Household Soaps and Cleansers sold by Manufacturers and Certain Wholesalers, and

(3) That no cheaper source of supply is available.

Upon such a showing the State or District Office of the Office of Price Administration shall adjust the applicant's maximum price so as to reflect the amount of such surcharge for delivery.

(c) *Adjustment provision for group 3 or 4 stores.* On or before June 24, 1944, any retail food store in group 3 or 4 which is subject to this regulation may apply to its appropriate State or District Office of the Office of Price Administration for an adjustment of its established maximum price for any household soap or cleanser to the price established for such household soap or cleanser for group 1 stores. Such application must conform to the requirements of Revised Procedural Regulation No. 1 and must show in addition to such requirements that:

[Above paragraph amended by Am. 3, 8 F.R. 13499, effective 10-8-43 and Am. 5, 9 F.R. 5804, effective 5-25-44]

(1) Most of applicant's sales are made by sales clerks who assist customers in selecting, collecting, and wrapping merchandise; and

(2) It generally offers to all its customers the services of (i) taking orders over the telephone, and (ii) carrying monthly charge accounts, and (iii) providing delivery service; and

(3) It has consistently maintained prices for household soaps and cleansers prior to September 15, 1942, as high or higher than those charged by group 2 stores in the same community; and

(4) Its total gross margin on all its sales of soap and food products, if it is not a "chain retail food store", was more than 25 per cent during its fiscal year 1941; or, if it is a "chain retail food store", the total gross margin on the combined sales of all the stores in the chain was more than 25 per cent during its fiscal year 1941. If applicant was not in operation in 1941, its gross margin for the most recent fiscal year, or if it has not been doing business for a full fiscal year, for the most recent fiscal period, must be more than 25 per cent.

Upon such a showing the State or District Office of the Office of Price Administration shall adjust the applicant's maximum price on such house-

hold soap or cleanser to the maximum price established therefor by this regulation for group 1 stores.

A group 3 or 4 food store which has had its maximum prices for household soaps or cleansers adjusted to the maximum prices for group 2 stores prior to July 3, 1943, under this section may adjust such maximum prices to the maximum prices for group 1 stores if its total gross margin specified in paragraph (c) (3) for the periods there referred to was more than 25 per cent. However, if this total gross margin was not more than 25 per cent, it must, beginning July 3, 1943, use as its maximum prices the maximum prices for group 4 stores, if it is a group 4 store, or the maximum prices for group 3 stores, if it is a group 3 store.

[Paragraph (c) amended by Am. 1, 8 F.R. 8947, effective 7-3-43 and as otherwise noted]

(d) *Adjustment provision for group 3 or 4 stores in Region VII.* On or before June 24, 1944, any retail food store in Region VII of the Office of Price Administration which is subject to this regulation as a group 3 or 4 store, may apply to the appropriate regional office or any district office so authorized by its regional office, for an adjustment of its established maximum price for any listed household soap or cleanser to the price established for such household soap or cleanser for group 2 stores. Such application must conform to the requirements of Revised Procedural Regulation No. 1 and must show in addition to such requirements that:

[Above paragraph amended by Am. 5, 9 F.R. 5804, effective 5-25-44]

(1) Applicant has customarily purchased more than 70 per cent of all its household soaps and cleansers from wholesalers; and

(2) It has consistently maintained prices for household soaps and cleansers prior to September 15, 1942, as high or higher than those charged by group 2 stores in the same community.

Upon such a showing the State or District Office of the Office of Price Administration shall adjust the applicant's maximum price on such household soap or cleanser to the maximum price established therefor by this regulation for group 2 stores.

"Customarily purchased" refers to the practice of the store during the fiscal year 1941; if it was not in operation in 1941, the most recent fiscal year shall be used, or if it has not been doing business for a full fiscal year, the most recent fiscal period shall be used.

"70 per cent" refers to the dollar amount of purchases of household soaps and cleansers.

[Paragraph (d) added and former (d) redesignated (e) by Am. 3, 8 F.R. 13499, effective 10-8-43]

(e) *Delegation of authority to make adjustments.* Any regional office of the Office of Price Administration, or such offices as may be authorized by order issued by the appropriate regional office, may act on all applications for adjustment under the provisions of this regulation, and may deny any application filed under paragraph (c) of this section

or revoke any order granting adjustment under that paragraph if denial of such application would not cause the applicant a substantial financial hardship. Applications for adjustment are governed by Revised Procedural Regulation No. 1.

[Paragraph (e) amended by Am. 5, 9 F.R. 5804, effective 5-25-44]

ARTICLE III—CEILING PRICES

[The phrase, "the seller's maximum price under the GMPR or," whenever it appears in sections 17, 18, and 19 is amended to read "the seller's maximum price as determined under the GMPR, or," by Am. 3, 8 F.R. 13499, effective 10-8-43]

SEC. 17. *Maximum prices for sales of household soaps and cleansers by Group 1 stores.* The maximum prices at which the listed brands of household soaps and cleansers may be sold by Group 1 stores are set out below. If you sell a household soap or cleanser which is not listed you will establish your maximum price for it by following the instructions given at the end of each table in this section.

(a) *Table of maximum prices for bar or cake toilet soaps.*

Brand	Size	Pack	Group 1 price per unit
Camay.....	Bath.....	100	\$0.11
Camay.....	Regular.....	144	.03
Cashmere Bouquet.....	Regular.....	144	.10
			3 for .27
Crystal White.....	Regular.....	100	.03
Fairy.....	Regular.....	73	.09
Honeysuckle.....	Regular.....	144	.05
Ivory.....	Guest.....	144	.05
Ivory.....	Large.....	100	.12
Ivory.....	Medium.....	100	.07
Kirks Coco Hardwater Castile.....	Regular.....	100	.03
Lava.....	Large.....	100	.10
Lava.....	Regular.....	100	.07
Lifebuoy.....	Regular.....	100	.03
Lux.....	Bath.....	70	.11
Lux.....	Regular.....	100	.03
Octagon.....	Regular.....	144	.05
Palmolive.....	Bath.....	100	.11
Palmolive.....	Regular.....	144	.03
Sierra Pine.....	Regular.....	144	.03
Swan.....	Large.....	100	.12
Swan.....	Regular.....	100	.07
Sweetheart.....	Regular.....	100	.03
White King.....	Regular.....	100	.06
Woodbury.....	Regular.....	144	.09

[Table amended by Am. 4, 9 F.R. 4440, effective 5-5-44]

(1) *Instructions: How to establish maximum prices for unlisted brands of bar or cake toilet soaps.* For unlisted brands of bar or cake toilet soap the maximum price per unit for Group 1 stores shall be at the seller's option either:

(i) The seller's maximum price as determined under the GMPR, or:

(ii) The actual unit net cost to the seller multiplied by 1.28 and figured to the nearest cent.

(For example, if you buy Y brand bar toilet soap, which is not listed above, at an actual cost to you of \$5.00 per case of 100 bars, divide 100 into \$5.00, and get a unit net cost per bar of 5 cents. Then multiply 5 by 1.28 and get a price of 6.40 cents per bar. Since the fraction is less than ½ cent, your maximum price must be 6 cents per bar (unless you choose to take your maximum price under the GMPR. If the fraction had amounted to ½ cent or more, your maximum price would have been 7 cents.)

(2) *Instructions: How to establish maximum prices for unbranded or bulk*

bar toilet soaps. For unbranded or bulk bar toilet soap the maximum price per unit for Group 1 stores shall be the unit net cost to the seller multiplied by 1.28 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

(b) Table of maximum prices for bar laundry soaps.

Brand	Size	Pack	Group 1 price per unit
American Family	Large	80	\$.07
Crystal White	Large	80	.05
Crystal White	Regular	100	.05
Fels Naptha	Regular	100	.05
Kirkman Borax	Regular	100	.05
Octagon	Large	100	.05
Octagon	Small	120	.03
P & G White Laundry	Large	100A	.05
P & G White Laundry	Regular	100	.05
P & G White Laundry	Large	80	.05
P & G White Laundry	Regular	100B	.05
Tag	Regular	72	.07
White King	Large	80	.05
White King	Regular	100	.05

[Table amended by Am. 4, 9 F.R. 4440, effective 5-5-44]

(1) Instructions: How to establish maximum prices for unlisted brands of bar laundry soaps. For unlisted brands of bar laundry soap the maximum prices per unit for Group 1 stores shall be at the seller's option either:

(i) The seller's maximum price as determined under the GMPR, or,

(ii) The actual unit net cost to the seller multiplied by 1.29 and figured to the nearest cent.

(For example, if you buy Y brand bar laundry soap, which is not listed above, at an actual cost to you of \$5.00 per case of 100 bars, divide 100 into \$5.00 and get a unit net cost per bar of 5 cents. Then multiply 5 by 1.29 and get a price of 6.45 cents per bar. Since the fraction is less than $\frac{1}{2}$ cent your maximum price would be 6 cents per bar (unless you choose to take your maximum price under the GMPR). If the fraction had amounted to $\frac{1}{2}$ cent or more your maximum price would have been 7 cents.)

(2) Instructions: How to establish maximum prices for unbranded or bulk bar laundry soaps. For unbranded or bulk bar laundry soaps the maximum price per unit for Group 1 stores shall be the unit net cost to the seller multiplied by 1.29 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

(c) Table of maximum prices for cleansers and scouring powders.

Brand	Size (ounces)	Pack	Group 1 price per unit
Bab-O	14	48	\$.13
Cameo Cleanser	14	48	.09
Gold Dust	14	24	.05
Kitchen Klenzer	13	40	.07
Lighthouse	14	48	.05
Octagon	13	48	.05
Old Dutch	14	48	.09
Sunbrite	13	48	.05

[Table amended by Am. 4, 9 F.R. 4440, effective 5-5-44]

(1) Instructions: How to establish maximum prices for unlisted brands of cleansers and scouring powders. For unlisted brands of cleansers and scouring powders the maximum price per unit for group 1 stores shall be at the seller's option, either:

(i) The seller's maximum price as determined under the GMPR, or

(ii) The actual unit net cost to the seller multiplied by 1.34 and figured to the nearest cent.

(For example, if you buy Y brand cleanser or scouring powder, which is not listed above, at an actual cost to you of \$5.28 per case of 48 cans, divide 48 into \$5.28 and get a unit cost per package of 11 cents. Then multiply 11 by 1.34 and get a price of 14.74 cents per package. Since the fraction is more than $\frac{1}{2}$ cent your maximum price would be 15 cents per package (unless you choose to take your maximum price under the GMPR). If the fraction had amounted to less than $\frac{1}{2}$ cent your maximum price would have been 14 cents.)

(2) Instructions: How to establish maximum prices for unbranded or bulk cleansers and scouring powders. For unbranded or bulk cleansers and scouring powders the maximum price per unit for Group 1 stores shall be the unit net cost to the seller multiplied by 1.34 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

(d) Table of maximum prices for package soaps.

Brand	Size (ounces)	Pack	Group 1 price per unit
American Family Flakes	48	12	\$.52
American Family Flakes	21	24	.25
American Family Flakes	8	60	.11
Chippo Flakes or Granulated	21 1/2	24	.25
Chippo Flakes	8 1/2	60	.11
Dash	67	12	.25
Dash	33 1/2	24	.25
Draft	4	60	.11
Draft	8 1/2	24	.25
Draft	21 1/2	9	.64
Duz	63 1/2	8	.69
Duz	21 1/2	24	.25
Duz	8 1/2	60	.11
Ivory Flakes	12 1/2	24	.25
Ivory Flakes	5	60	.11
Ivory Snow	12 1/2	24	.25
Ivory Snow	5	60	.11
Kirkman Flakes	18	24	.25
Kirkman Flakes	7	60	.11
Kirkman Granulated	21	24	.25
Kirkman Granulated with bar	21 1/2	24	.27
Klek	17 1/2	24	.22
Klek	8 1/2	48	.11
Lux Flakes	12 1/2	24	.25
Lux Flakes	5	100	.11
Lux Flakes	23	9	.64
Magic Washer	8	60	.10
Magic Washer	25	24	.25
Magic Washer	80	8	.70
Octagon Granulated	21	24	.25
Octagon Flakes	18	24	.25
Oxydol	69	8	.69
Oxydol	24	24	.25
Oxydol	9	60	.11
Par granulated	23	24	.25
Par granulated	69	12	.63
Peets Granulated	21	24	.25
Peets Granulated	23	24	.25
Peets Granulated	20	24	.25
Peets Granulated	69	12	.63
Rinso	24	8	.69
Rinso	24	24	.25
Rinso	9	60	.11
Scotch Granulated	61	8	.61
Scotch Granulated	48	12	.48
Scotch Granulated	31	24	.31
Scotch Granulated	24	24	.25
Scotch Granulated	8	25	.19

Brand	Size (ounces)	Pack	Group 1 price per unit
Solax	17 1/2	24	\$.13
Solax	6 1/2	48	.05
Silver Dust	21 1/2	24	.27
Super Soda	69	8	.69
Super Soda	61 1/2	8	.69
Super Soda	21	24	.25
Super Soda	21 1/2	24	.25
Super Soda	9	60	.11
Super Soda	8 1/2	60	.11
Twenty Min's Team Borax Soap Soda	22	24	.24
White King Granulated	63	8	.71
White King Granulated	45	12	.53
White King Granulated	23	24	.33
White King Granulated	22	24	.25
White King Granulated	9	48	.11

[Table amended by Am. 3, 8 F.R. 13493, effective 10-8-43; Am. 4, 9 F.R. 4440, effective 5-5-44]

(1) Instructions: How to establish maximum prices for unlisted brands of package soaps—(i) Large size packages. For unlisted brands of package soap in large size packages (marked weight on package at least 10 oz. but less than 27 oz.) the maximum price per unit for group 1 stores shall be at the seller's option either:

(a) The seller's maximum price as determined under the GMPR, or

(b) The actual unit net cost to the seller multiplied by 1.20 and figured to the nearest cent.

(For example, if you buy Y brand package soap (marked weight 25 oz.), which is not listed above, at an actual cost to you of \$4.80 per case of 24 packages, divide 24 into \$4.80 and get a unit cost per package of 20 cents. Then multiply 20 by 1.20 and get a price of 24 cents per package. Your maximum price is 24 cents per package (unless you choose to take your maximum price under the GMPR).)

(ii) Small size packages. For unlisted brands of package soap in small size packages (marked weight on package less than 10 oz.) the maximum price per unit for group 1 stores shall be at the seller's option, either:

(a) The seller's maximum price as determined under the GMPR, or

(b) The actual unit net cost to the seller multiplied by 1.23 and figured to the nearest cent.

(For example, if you buy Y brand package soap (marked weight on package 8 1/2 oz.) which is not listed above, at an actual cost to you of \$5.80 per case of 60 packages, divide 60 into \$5.80 and get a unit cost per package of 9.63 cents. Then multiply 9.63 by 1.23 and get a price of 12.03 cents per package. Since the fraction is less than $\frac{1}{2}$ cent your maximum price would be 12 cents per package (unless you choose to take your maximum price under the GMPR). If the fraction had amounted to $\frac{1}{2}$ cent or more your maximum price would have been 13 cents.)

(iii) Giant or family size packages. For unlisted brands of package soap in giant or family size packages (marked weight not less than 27 oz.) the maximum price per unit for Group 1 stores shall be at the seller's option, either:

(a) The seller's maximum price as determined under the GMPR, or

(b) The actual unit net cost to the seller multiplied by 1.15 and figured to the nearest cent.

(For example, if you buy Y brand package soap (marked weight 64 oz.), which is not

listed above, at an actual cost to you of \$4.80 per case of 8 packages, divide 8 into \$4.80 and get a unit cost per package of 60 cents. Then multiply 60 by 1.15 and get a maximum price of 69 cents per package. Your maximum price would be 69 cents per package (unless you choose to take your maximum price under the GMPR.)

(2) *Instructions: How to establish maximum prices for unbranded or bulk package soaps.* For unbranded or bulk package soaps the maximum price per unit for Group 1 stores shall be the unit net cost to the seller multiplied by 1.20 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

(e) *Table of maximum prices for washing powders.*

Brand	Size (ounces)	Pack	Group 1 Price per unit
Gold Dust.....	36	12	\$0.21
Gold Dust.....	10	60	.06
Gold Dust.....	6 1/2	100	.04
Grandma.....	30	12	.19
Grandma.....	8 3/4	100	.04
Kirkman.....	40	12	.22
Kirkman.....	12	50	.06
Kirkman.....	44	24	.24
Merrill.....	10	48	.06
Merrill.....	40	20	.20
Octagon.....	13	60	.06
Octagon.....	6 1/2	120	.03
OK.....	14 1/2	60	.05
OK.....	7 1/2	120	.03
Star.....	8 3/4	100	.04

(1) *Instructions: How to establish maximum prices for unlisted brands of washing powders.* For unlisted brands of washing powder the maximum price per unit for Group 1 stores shall be at the seller's option, either:

(i) The seller's maximum price as determined under the GMPR, or
(ii) The actual unit net cost to the seller multiplied by 1.34 and figured to the nearest cent.

(For example, if you buy Y-brand washing powder, which is not listed above, at an actual cost to you of \$3.00 per case of 50 packages, divide 50 into \$3.00 and get a unit cost per package of 6 cents. Then multiply 6 by 1.34 and get a price of 8.04 cents per package. Since the fraction is less than 1/2 cent your maximum price would be 8 cents per package (unless you choose to take your maximum price under the GMPR). If the fraction had amounted to 1/2 cent or more your maximum price would have been 9 cents.)

(2) *Instructions: How to establish maximum prices for unbranded or bulk washing powders.* For unbranded or bulk washing powders the maximum price per unit for Group 1 stores shall be the unit net cost to the seller multiplied by 1.34 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

Sec. 18. *Maximum prices for sales of household soaps and cleansers by Group 2 stores.* The maximum prices at which the listed brands of household soaps and cleansers may be sold by Group 2 stores are set out below. If you sell a household soap or cleanser which is not listed you will establish your maximum price for it by following the instructions given at the end of each table in this section.

(a) *Table of maximum prices for bar or cake toilet soaps.*

Brand	Size	Pack	Group 2 Price per unit
Camay.....	Bath.....	100	\$0.11
Camay.....	Regular.....	144	.03
Cashmere, Bouquet.....	Regular.....	144	.10 (3 for .27)
Crystal White.....	Regular.....	100	.05
Fairy.....	Regular.....	72	.06
Honeysuckle.....	Regular.....	144	.05
Ivory.....	Guest.....	144	.05
Ivory.....	Large.....	100	.12
Ivory.....	Medium.....	100	.07
Kirks Coco Hardwater Castile.....	Regular.....	100	.05
Lava.....	Large.....	100	.10
Lava.....	Regular.....	100	.07
Lifebuoy.....	Regular.....	100	.03
Lux.....	Bath.....	50	.11
Lux.....	Regular.....	100	.03
Octagon.....	Regular.....	144	.05
Palmolive.....	Bath.....	100	.11
Palmolive.....	Regular.....	144	.03
Sierra Pine.....	Regular.....	144	.03
Swan.....	Large.....	100	.12
Swan.....	Regular.....	100	.07
Sweetheart.....	Regular.....	100	.03
White King.....	Regular.....	100	.06
Woodbury.....	Regular.....	144	.09

[Table amended by Am. 4, 9 F.R. 4440, effective 5-5-44]

(1) *Instructions: How to establish maximum prices for unlisted brands of bar or cake toilet soaps.* For unlisted brands of bar or cake toilet soap the maximum price per unit for Group 2 stores shall be at the seller's option either:

(i) The seller's maximum price as determined under the GMPR, or
(ii) The actual unit net cost to the seller multiplied by 1.28 and figured to the nearest cent.

(For example, if you buy Y brand bar toilet soap, which is not listed above, at an actual cost to you of \$5.00 per case of 100 bars, divide 100 into \$5.00 and get a unit cost per bar of 5 cents. Then multiply 5 by 1.28 and get a price of 6.40 cents per bar. Since the fraction is less than 1/2 cent your price would be 6 cents per bar (unless you choose to take your maximum price under the GMPR). If the fraction had amounted to 1/2 cent or more your maximum price would have been 7 cents.)

(2) *Instructions: How to establish maximum prices for unbranded or bulk bar toilet soaps.* For unbranded or bulk bar toilet soap the maximum price per unit for Group 2 stores shall be the unit net cost to the seller multiplied by 1.28 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

(b) *Table of maximum prices for bar laundry soaps.*

Brand	Size	Pack	Group 2 Price per unit
American Family.....	Large.....	80	\$0.07
Crystal White.....	Large.....	80	.05
Crystal White.....	Regular.....	100	.05
Fels Naptha.....	Regular.....	100	.06
Kirkman Borax.....	Regular.....	100	.06
Octagon.....	Large.....	100	.05
Octagon.....	Small.....	120	.03
P & G White Laundry.....	Large.....	100A	.05
P & G White Laundry.....	Regular.....	100	.05
P & G White Laundry.....	Large.....	80	.05
P & G White Laundry.....	Regular.....	100B	.04
Tag.....	Regular.....	72	.06
White King.....	Large.....	80	.05
White King.....	Regular.....	100	.04

[Table amended by Am. 3, 8 F.R. 13499, effective 10-8-43]

(1) *Instructions: How to establish maximum prices for unlisted brands of bar laundry soaps.* For unlisted brands of bar laundry soap the maximum price per unit for Group 2 stores shall be at the seller's option, either:

(i) The seller's maximum price as determined under the GMPR, or
(ii) The actual unit net cost to the seller multiplied by 1.29 and figured to the nearest cent.

(For example, if you buy Y brand bar laundry soap, which is not listed above, at an actual cost to you of \$5.00 per case of 100 bars, divide 100 into \$5.00 and get a unit cost per bar of 5 cents. Then multiply 5 by 1.29 and get a price of 6.45 cents per bar. Since the fraction is less than 1/2 cent your price would be 6 cents per bar (unless you choose to take your maximum price under the GMPR). If the fraction had amounted to 1/2 cent or more your maximum price would have been 7 cents.)

(2) *Instructions: How to establish maximum prices for unbranded or bulk bar laundry soaps.* For unbranded or bulk bar laundry soaps the maximum price per unit for Group 2 stores shall be the unit net cost to the seller multiplied by 1.29 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

(c) *Table of maximum prices for cleansers and scouring powders.*

Brand	Size (ounces)	Pack	Group 2 Price per unit
Bab-O.....	14	48	\$0.13
Cameo Cleanser.....	14	48	.09
Gold Dust.....	14	24	.09
Kitchen Kleenzer.....	13	40	.07
Lighthouse.....	14	48	.05
Octagon.....	13	48	.05
Old Dutch.....	14	48	.09
Sunbrite.....	13	48	.09

[Table amended by Am. 4, 9 F.R. 4440, effective 5-5-44]

(1) *Instructions: How to establish maximum prices for unlisted brands of cleansers and scouring powders.* For unlisted brands of cleansers and scouring powders the maximum price per unit for Group 2 stores shall be at the seller's option either:

(i) The seller's maximum price as determined under the GMPR, or
(ii) The actual unit net cost to the seller multiplied by 1.32 and figured to the nearest cent.

(For example, if you buy Y brand cleanser or scouring powder, which is not listed above, at an actual cost to you of \$5.28 per case of 48 cans, divide 48 into \$5.28 and get a unit cost per can of 11 cents. Then multiply 11 by 1.32 and get a price of 14.52 cents per can. Since the fraction is more than 1/2 cent your price would be 15 cents per can (unless you choose to take your maximum price under the GMPR). If the fraction had amounted to less than 1/2 cent your maximum price would have been 14 cents.)

(2) *Instructions: How to establish maximum prices for unbranded or bulk cleansers and scouring powders.* For unbranded or bulk cleansers and scouring powders the maximum price per unit for Group 2 stores shall be the unit net cost

to the seller multiplied by 1.32 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

(d) Table of maximum prices for package soaps.

Brand	Size (ounces)	Pack	Group 2 price per unit
American Family Flakes	43	12	\$0.52
American Family Flakes	21	24	.25
American Family Flakes	8	60	.11
Chippo Flakes or Granulated	21 1/2	24	.26
Chippo Flakes	8 1/2	60	.11
Dash	67	12	.55
Dash	33 1/2	24	.29
Dreft	6	60	.11
Dreft	3 1/2	24	.23
Dreft	2 1/2	9	.64
Duz	6 1/2	8	.69
Duz	2 1/2	24	.26
Duz	8 1/2	60	.11
Ivory Flakes	12 1/2	24	.26
Ivory Flakes	5	60	.11
Ivory Snow	12 1/2	24	.26
Ivory Snow	5	60	.11
Kirkman Flakes	18	24	.26
Kirkman Flakes	7	60	.11
Kirkman Granulated	24	24	.26
Kirkman Granulated with Bar	21 1/2	24	.27
Klek	17 1/2	24	.22
Klek	8 1/2	48	.11
Lux Flakes	12 1/2	20	.26
Lux Flakes	5	100	.11
Lux Flakes	23	9	.54
Magic Washer	8	60	.10
Magic Washer	25	24	.25
Magic Washer	80	8	.70
Octagon Granulated	24	24	.26
Octagon Flakes	18	24	.26
Oxydol	69	8	.69
Oxydol	24	24	.26
Oxydol	9	60	.11
Par Granulated	23	24	.26
Par Granulated	50	12	.63
Par Granulated	69	8	.69
Peets Granulated	24	24	.26
Peets Granulated	33	24	.30
Peets Granulated	36	24	.30
Peets Granulated	70	12	.66
Rinso	69	8	.69
Rinso	24	24	.26
Rinso	9	60	.11
Scotch Granulated	64	8	.61
Scotch Granulated	48	12	.46
Scotch Granulated	31	24	.30
Scotch Granulated	22	24	.23
Scotch Granulated	8	48	.10
Selox	17 1/2	24	.16
Selox	6 1/2	48	.05
Silver Dust	21 1/2	24	.27
Super Suds	69	8	.69
Super Suds	61 1/2	8	.69
Super Suds	24	24	.26
Super Suds	21 1/2	24	.26
Super Suds	9	60	.11
Super Suds	8 1/2	60	.11
Twenty Mule Team Borax Soap Suds	22	24	.24
White King Granulated	62	8	.71
White King Granulated	46	12	.53
White King Granulated	28	24	.33
White King Granulated	22	24	.26
White King Granulated	9	48	.11

[Table amended by Am. 3, 8 F.R. 13499, effective 10-8-43; Am. 4, 9 F.R. 4440, effective 5-5-44]

(1) *Instructions: How to establish maximum prices for unlisted brands of package soaps—(i) Large size packages.* For unlisted brands of package soap in large size packages (marked weight on package at least 10 ounces but less than 27 ounces) the maximum price per unit

for Group 2 stores shall be at the seller's option either:

(a) The seller's maximum price as determined under the GMPR, or

(b) The actual unit net cost to the seller multiplied by 1.20 and figured to the nearest cent.

(For example, if you buy Y brand package soap (marked weight 25 ounces), which is not listed above, at an actual cost to you of \$1.80 per case of 24 packages, divide 24 into \$1.80 and get a unit cost per package of 20 cents. Then multiply 20 by 1.20 and get a price of 24 cents per package. Your maximum price is 24 cents per package (unless you choose to take your maximum price under the GMPR).)

(ii) *Small size packages.* For unlisted brands of package soap in small size packages (marked weight on package less than 10 ounces) the maximum price per unit or Group 2 stores shall be at the seller's option, either:

(a) The seller's maximum price as determined under the GMPR, or

(b) The actual unit net cost to the seller multiplied by 1.23 and figured to the nearest cent.

(For example, if you buy Y brand package soap (marked weight on package 8 1/2 oz.) which is not listed above, at an actual cost to you of \$5.90 per case of 60 packages, divide 60 into \$5.90 and get a unit cost per package of 9.83 cents. Then multiply 9.83 by 1.23 and get a price of 12.09 cents per package. Since the fraction is less than 1/2 cent your price would be 12 cents per package (unless you choose to take your maximum price under the GMPR). If the fraction had amounted to more than 1/2 cent your maximum price would have been 13 cents.)

(iii) *Giant or family size packages.* For unlisted brands of package soap in giant or family size packages (marked weight not less than 27 ounces) the maximum price per unit for Group 2 stores shall be at the seller's option, either:

(a) The seller's maximum price as determined under the GMPR, or

(b) The actual unit net cost to the seller multiplied by 1.15 and figured to the nearest cent.

(For example, if you buy Y brand package soap (marked weight 64 oz.), which is not listed above, at an actual cost to you of \$4.80 per case of 8 packages, divide 8 into \$4.80 and get a unit cost per package of 60 cents. Then multiply 60 by 1.15 and get a price of 69 cents per package. Your maximum price would be 69 cents per package (unless you choose to take your maximum price under the GMPR).)

(2) *Instructions: How to establish maximum prices for unbranded or bulk package soaps.* For unbranded or bulk package soaps the maximum price per unit for Group 2 stores shall be the unit net cost to the seller multiplied by 1.20 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

(e) Table of maximum prices for washing powders.

	Size (ounces)	Pack	Group 2 Price per unit
Gold Dust	25	12	\$0.21
Gold Dust	19	60	.03
Gold Dust	6 1/2	160	.04
Grandma	39	12	.19
Grandma	27 1/2	160	.04
Kirkman	40	12	.22
Kirkman	12	50	.07
Marmal	41	24	.23
Marmal	19	48	.03
Octagon	43	20	.10
Octagon	13	60	.06
Octagon	6 1/2	120	.03
OK	14 1/2	60	.05
OK	7 1/2	120	.03
Star	5 1/2	150	.04

(1) *Instructions: How to establish maximum prices for unlisted brands of washing powders.* For unlisted brands of washing powder the maximum prices per unit for Group 2 stores shall be at the seller's option, either:

(i) The seller's maximum price as determined under the GMPR, or

(ii) The actual unit net cost to the seller multiplied by 1.32 and figured to the nearest cent.

(For example, if you buy Y brand washing powder, which is not listed above, at an actual cost to you of \$3.00 per case of 50 packages, divide 50 into \$3.00 and get a unit cost per package of 6 cents. Then multiply 6 by 1.32 and get a price of 7.92 cents per package. Since the fraction is more than 1/2 cent your price would be 8 cents per package (unless you choose to take your maximum price under the GMPR). If the fraction had amounted to less than 1/2 cent your maximum price would be 7 cents.)

(2) *Instructions: How to establish maximum prices for unbranded or bulk washing powders.* For unbranded or bulk washing powders the maximum price per unit for Group 2 stores shall be the unit net cost to the seller multiplied by 1.32 and figured to the nearest cent.

[Subparagraph (2) added by Am. 6, effective 6-24-44]

Sec. 19. *Maximum prices for sales of household soaps and cleansers by Group 3 and 4 stores.* The maximum prices at which the listed brands of household soaps and cleansers may be sold by group 3 and 4 stores are set out below. If you sell a household soap or cleanser which is not listed you will establish your maximum price for it by following the instructions given at the end of each table in this section.

Where multiple sale prices are listed you must not exceed these prices when you make a single sale of the indicated number of units of this product.

(b) Table of maximum prices for bar laundry soaps sold by Groupe 3 and Group 4 stores.

Brand	Size	Pack	Group 3 price per multiple sales	Group 3 price per unit	Group 4 price per multiple sales	Group 4 price per unit
American Family	Large	80	2 for 11	\$0.06	2 for 11	\$0.06
Crystal White	Large	80	3 for 14	.05	3 for 14	.05
Crystal White	Regular	100		.04		.04
Els Naptha	Regular	100		.05		.05
Kirkman Borax	Regular	100		.05		.05
Octagon	Large	100	3 for 14	.05	3 for 14	.05
Octagon	Small	120	2 for 8	.05	2 for 8	.05
P & G White Laundry	Large	100A	3 for 14	.05	3 for 14	.05
P & G White Laundry	Regular	100	3 for 13	.05	3 for 13	.05
P & G White Laundry	Large	80	3 for 14	.05	3 for 14	.05
P & G White Laundry	Regular	100B	2 for 11	.04	2 for 11	.04
Tag	Large	72	2 for 11	.05	2 for 11	.05
White King	Large	80	3 for 14	.05	3 for 14	.05
White King	Regular	100		.04		.04

(1) Instructions: How to establish maximum prices for unlisted brands of bar laundry soaps sold in Group 3 stores. For unlisted brands of bar laundry soap the maximum price per unit for Group 3 stores shall be at the seller's option either:

- (i) The seller's maximum price as determined under the GMPPR, or
- (ii) The actual unit net cost to the seller multiplied by 1.22 and figured to the nearest cent.

(2) Instructions: How to establish maximum prices for unlisted brands of bar laundry soaps sold in Group 4 stores. For unlisted brands of bar laundry soap the maximum price per unit for group 4 stores shall be at the seller's option either:

- (i) The seller's maximum price as determined under the GMPPR, or
- (ii) The actual unit net cost to the seller multiplied by 1.22 and figured to the nearest cent.

(3) Instructions: How to establish maximum prices for unbranded or bulk bar laundry soaps sold in Group 3 stores. For unbranded or bulk bar laundry soaps the maximum price per unit for Group 3 stores shall be the unit net cost to the seller multiplied by 1.22 and figured to the nearest cent.

(4) Instructions: How to establish maximum prices for unbranded or bulk bar laundry soaps sold in Group 4 stores. For unbranded or bulk bar laundry soaps the maximum price per unit for Group 4 stores shall be the unit net cost to the seller multiplied by 1.17 and figured to the nearest cent.

(c) Table of maximum prices for cleansers and scouring powders sold by group 3 and group 4 stores.

Brand	Size (ounces)	Pack	Group 3 price per multiple sales	Group 3 price per unit	Group 4 price per multiple sales	Group 4 price per unit
Bab-O	14	45		\$0.11	2 for 21	\$0.11
Cameo Cleanser	14	45	3 for 23	.03	3 for 23	.03
Gold Dust	14	24	3 for 16	.05		.05
Kitchen Kleenex	14	40		.06		.06
Lighthouse	14	45	3 for 14	.03	2 for 9	.03
Octagon	13	45	3 for 14	.03	2 for 9	.03
Old Dutch	14	45	2 for 15	.03	2 for 15	.03
Sunbrite	13	45		.03		.03

[Table amended by Am. 4, 9 F.R. 4440, effective 5-5-44]

(a) Table of maximum prices for bar or cake toilet soaps sold by Group 3 and Group 4 stores.

Brand	Size	Pack	Group 3 price per multiple sales	Group 3 price per unit	Group 4 price per multiple sales	Group 4 price per unit
Cameo	Bath	100		\$0.10	3 for 20	\$0.10
Cashmere	Regular	144	3 for 20	.07	3 for 20	.07
Cashmere Bouquet	Regular	144	3 for 27	.10	3 for 27	.10
Crystal White	Regular	100	2 for 9	.05	3 for 13	.05
Fairy	Regular	72		.05		.05
Honeyuckle	Regular	144	2 for 9	.05	3 for 13	.05
Ivory	Guest	144	3 for 14	.10	3 for 20	.10
Ivory	Large	100		.05		.05
Ivory	Medium	100	2 for 9	.05	3 for 13	.05
Kirk's Coco Hardwater Castile	Regular	100	2 for 9	.05	3 for 13	.05
Lava	Large	100		.09		.09
Lava	Regular	100	3 for 20	.07	3 for 20	.07
Lifebuoy	Regular	100	2 for 10	.07	3 for 13	.07
Lux	Bath	50		.07		.07
Lux	Regular	100	2 for 10	.07	3 for 13	.07
Octagon	Regular	144	3 for 14	.05	3 for 20	.05
Palmolive	Bath	100	2 for 10	.05	3 for 13	.05
Palmolive	Regular	144	3 for 20	.07	3 for 20	.07
Sarna Pine	Regular	144	3 for 20	.07	3 for 20	.07
Swan	Large	100		.06		.06
Swan	Regular	100	3 for 20	.07	3 for 20	.07
Sweetheart	Regular	100		.05		.05
White King	Regular	100	3 for 14	.05	3 for 14	.05
Woodbury	Regular	144		.08		.08

[Table amended by Am. 4, 9 F.R. 4440, effective 5-5-44]

(1) Instructions: How to establish maximum prices for unlisted brands of bar or cake toilet soaps sold in Group 3 stores. For unlisted brands of bar toilet soap the maximum price per unit for Group 3 stores shall be at the seller's option either:

- (i) The seller's maximum price as determined under the GMPPR, or
- (ii) The actual unit net cost to the seller multiplied by 1.18 and figured to the nearest cent.

(2) Instructions: How to establish maximum prices for unlisted brands of bar or cake toilet soaps sold in Group 4 stores. For unlisted brands of bar toilet soap the maximum price per unit for group 4 stores shall be at the seller's option either:

- (i) The seller's maximum price as determined under the GMPPR, or
- (ii) The actual unit net cost to the seller multiplied by 1.13 and figured to the nearest cent.

[Subparagraphs (3) and (4) added by Am. 6, effective 6-24-44]

(1) *Instructions: How to establish maximum prices for unlisted brands of cleansers and scouring powders sold in Group 3 stores.* For unlisted brands of cleansers and scouring powders the maximum price per unit for group 3 stores shall be at the seller's option, either:

- (i) The seller's maximum price as determined under the GMPR, or
- (ii) The actual unit net cost to the seller multiplied by 1.26 and figured to the nearest cent.

(2) *Instructions: How to establish maximum prices for unlisted brands of cleansers and scouring powders sold in Group 4 stores.* For unlisted brands of cleansers and scouring powders the maximum price per unit for group 4 stores shall be at the seller's option, either:

- (i) The seller's maximum price as determined under the GMPR, or
- (ii) The actual unit net cost to the seller multiplied by 1.21 and figured to the nearest cent.

(d) *Table of maximum prices for package soaps sold by Group 3 and Group 4 stores.*

(3) *Instructions: How to establish maximum prices for unbranded or bulk cleansers and scouring powders sold in Group 3 stores.* For unbranded or bulk cleansers and scouring powders the maximum price per unit for Group 3 stores shall be the unit net cost to the seller multiplied by 1.26 and figured to the nearest cent.

(4) *Instructions: How to establish maximum prices for unbranded or bulk cleansers and scouring powders sold in Group 4 stores.* For unbranded or bulk cleansers and scouring powders the maximum price per unit for Group 4 stores shall be the unit net cost to the seller multiplied by 1.21 and figured to the nearest cent.

[Subparagraphs (3) and (4) added by Am. 6, effective 6-24-44]

Brand	Size (ounces)	Pack	Group 3 Price per unit	Group 4 Price per multiple sales	Group 4 Price per unit
American Family Flakes	43	12	\$0.47		\$0.45
American Family Flakes	21	24	.23		.23
American Family Flakes	8	60	.10	2 for 10	.10
Chipsa Flakes or Granulated	21 1/2	24	.23		.23
Chipsa Flakes	8 1/2	60	.10	2 for 10	.10
Dash	67	12	.21		.21
Dash	33 1/2	24	.23		.23
Dreft	4	60	.10	2 for 10	.10
Dreft	8 1/2	24	.23		.23
Dreft	33 1/2	9	.23		.23
Duz	62 1/2	8	.63		.61
Duz	21 1/2	24	.23		.23
Duz	8 1/2	60	.10	2 for 10	.10
Ivory Flakes	12 1/2	24	.23		.23
Ivory Flakes	5	60	.10	2 for 10	.10
Ivory Snow	12 1/2	24	.23		.23
Ivory Snow	5	60	.10	2 for 10	.10
Kirkman Flakes	18	21	.23		.23
Kirkman Flakes	7	60	.10	2 for 10	.10
Kirkman Granulated	24	24	.23		.23
Kirkman Granulated with bar	21 1/2	24	.21		.21
Klek	17 1/2	24	.23		.23
Klek	8 1/2	48	.10		.10
Lux Flakes	12 1/2	24	.23		.23
Lux Flakes	5	100	.10	2 for 10	.10
Lux Flakes	28	9	.43		.47
Magic Washer	8	60	.10	2 for 10	.10
Magic Washer	25	24	.22		.22
Magic Washer	60	8	.63		.61
Octagon granulated	24	24	.23		.23
Octagon Flakes	18	24	.23		.23
Oxydol	69	8	.63		.61
Oxydol	24	24	.23		.23
Oxydol	9	60	.10	2 for 10	.10
Par granulated	23	24	.23		.23
Par granulated	60	12	.43		.46
Par granulated	60	8	.63		.61
Peets Granulated	24	24	.23		.23
Peets Granulated	33	24	.27		.26
Peets Granulated	106	21	.27		.26
Peets Granulated	70	12	.61		.60
Rinso	63	8	.63		.61
Rinso	24	24	.23		.23
Rinso	9	60	.10	2 for 10	.10
Scotch Granulated	44	8	.65		.63
Scotch Granulated	48	12	.41		.40
Scotch Granulated	21	24	.27		.26
Scotch Granulated	32	24	.21		.20
Scotch Granulated	8	48	.10	2 for 10	.10
Selox	17 1/2	24	.14	2 for 27	.14
Selox	6 1/2	48	.05		.05
Silver Dust	21 1/2	24	.24		.24
Super Suds	69	8	.63		.61
Super Suds	61 1/2	8	.63		.61
Super Suds	24	24	.23		.23
Super Suds	21 1/2	24	.23		.23
Super Suds	9	60	.10	2 for 10	.10
Super Suds	8 1/2	60	.10	2 for 10	.10
Twenty Mule Team Borax Soap Suds	22	24	.21		.21
White King Granulated	62	8	.64		.62
White King Granulated	46	12	.43		.43
White King Granulated	23	24	.23		.23
White King Granulated	22	24	.24		.23
White King Granulated	9	48	.11		.10

[Table amended by Am. 3, 8 F.R. 13499, effective 10-8-43; Am. 4, 9 F.R. 4440, effective 5-5-44]

(1) *Instructions: How to establish maximum prices for unlisted brands of package soaps sold in Group 3 stores—(i) Large size packages.* For unlisted brands of package soap in large size packages (marked weight on package at least 10 ounces but less than 27 ounces) the maximum price per unit for group 3 stores shall be at the seller's option either:

- (a) The seller's maximum price as determined under the GMPR, or
- (b) The actual unit net cost to the seller multiplied by 1.16 and figured to the nearest cent.

(ii) *Small size packages.* For unlisted brands of package soap in small size packages (marked weight on package less than 10 ounces) the maximum price per unit for group 3 stores shall be at the seller's option either:

- (a) The seller's maximum price as determined under the GMPR, or
- (b) The actual unit net cost to the seller multiplied by 1.21 and figured to the nearest cent.

(iii) *Giant or family size packages.* For unlisted brands of package soap in giant or family size packages (marked weight not less than 27 ounces) the maximum price per unit for group 3 stores shall be at the seller's option either:

- (a) The seller's maximum price as determined under the GMPR, or
- (b) The actual unit net cost to the seller multiplied by 1.12 and figured to the nearest cent.

(2) *Instructions: How to establish maximum prices for unlisted brands of package soaps sold in Group 4 stores—(i) Large size packages.* For unlisted brands of package soap in large size packages (marked weight on package at least 10 ounces but less than 27 ounces) the maximum price per unit for group 4 stores shall be at the seller's option either:

- (a) The seller's maximum price as determined under the GMPR, or
- (b) The actual unit net cost to the seller multiplied by 1.13 and figured to the nearest cent.

(ii) *Small size packages.* For unlisted brands of package soap in small size packages (marked weight on package less than 10 ounces) the maximum price per unit for group 4 stores shall be at the seller's option either:

- (a) The seller's maximum price as determined under the GMPR, or
- (b) The actual unit net cost to the seller multiplied by 1.17 and figured to the nearest cent.

(iii) *Giant or family size packages.* For unlisted brands of package soap in giant or family size packages (marked weight not less than 27 ounces) the maximum price per unit for group 4 stores shall be at the seller's option either:

- (a) The seller's maximum price as determined under the GMPR, or
- (b) The actual unit net cost to the seller multiplied by 1.08 and figured to the nearest cent.

(3) *Instructions: How to establish maximum prices for unbranded or bulk package soap sold by Group 3 stores.* For unbranded or bulk package soap the maximum price per unit for Group 3

stores shall be the unit net cost to the seller multiplied by 1.16 and figured to the nearest cent.

(4) *Instructions: How to establish maximum prices for unbranded or bulk package soap sold in Group 4 stores.* For unbranded or bulk package soap the

(e) *Table of maximum prices for washing powders sold by Group 3 and Group 4 stores.*

Brand	Size (ounces)	Pack	Group 3 price per multiple sales	Group 3 price per unit	Group 4 price per multiple sales	Group 4 price per unit
Gold Dust.....	36	12		\$0.18		\$0.17
Gold Dust.....	10	60		.05	3 for 14	.05
Gold Dust.....	6 1/2	100		.03		.03
Grandma.....	39	12	2 for 33	.17		.16
Grandma.....	8 3/4	100		.03		.03
Kirkman.....	40	12		.19		.18
Kirkman.....	12	60		.05		.05
Marmalad.....	44	24		.20		.19
Marmalad.....	10	48	2 for 11	.06	3 for 16	.06
Octagon.....	40	20	2 for 33	.17		.16
Octagon.....	13	60	3 for 14	.05	2 for 9	.05
Octagon.....	6 1/2	120	3 for 8	.03	3 for 8	.03
OK.....	14 1/2	60	3 for 14	.05	2 for 9	.05
OK.....	7 1/4	120	3 for 7	.03	3 for 7	.03
Star.....	6 3/4	100		.03		.03

(1) *Instructions: How to establish maximum prices for unlisted brands of washing powders sold in Group 3 stores.* For unlisted brands of washing powder the maximum price per unit for group 3 stores shall be at the seller's option either:

(i) The seller's maximum price as determined under the GMPR, or

(ii) The actual unit net cost to the seller multiplied by 1.26 and figured to the nearest cent.

(2) *Instructions: How to establish maximum prices for unlisted brands of washing powders sold in Group 4 stores.* For unlisted brands of washing powder the maximum price per unit for group 4 stores shall be at the seller's option either:

(i) The seller's maximum price as determined under the GMPR, or

(ii) The actual unit net cost to the seller multiplied by 1.21 and figured to the nearest cent.

(3) *Instructions: How to establish maximum prices for unbranded or bulk washing powders sold in Group 3 stores.* For unbranded or bulk washing powders the maximum price per unit for Group 3 stores shall be the unit net cost to the seller multiplied by 1.26 and figured to the nearest cent.

(4) *Instructions: How to establish maximum prices for unbranded or bulk washing powders sold in Group 4 stores.* For unbranded or bulk washing powders the maximum price per unit for Group 4 stores shall be the unit net cost to the seller multiplied by 1.21 and figured to the nearest cent.

[Subparagraphs (3) and (4) added by Am. 6, effective 6-24-44]

Effective date. This Maximum Price Regulation No. 390 shall become effective on May 24, 1943. [Maximum Price Regulation No. 390 originally issued May 14, 1943.]

[Effective dates of amendments are shown in notes following the parts affected]

maximum price per unit for Group 4 stores shall be the unit net cost to the seller multiplied by 1.13 and figured to the nearest cent.

[Subparagraphs (3) and (4) added by Am. 6, effective 6-24-44]

NOTE: The record keeping and reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9235; Filed, June 24, 1944; 11:39 a. m.]

PART 1386—SOAP AND GLYCERINE

[MPR 391, Incl. Amdts. 1-3]

HOUSEHOLD SOAPS AND CLEANSERS SOLD BY MANUFACTURERS AND CERTAIN WHOLESALESA

This compilation of Maximum Price Regulation 391 includes Amendment 3, effective June 24, 1944. The text added or amended by Amendment 3 is underscored. Redesignations are indicated by notes.

In the judgment of the Price Administrator, it is necessary to issue a regulation establishing dollars and cents maximum prices for certain sales of household soaps and cleansers by manufacturers and certain wholesalers.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.²

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing ef-

¹ 8 F.R. 6435.

² Statements of consideration are also issued with amendments. Copies may be obtained from the Office of Price Administration.

fective price control with respect to the commodities subject to this regulation.

[Above sentence added by Supplementary Order 67, 8 F.R. 12555, effective 9-11-43]

§ 1386.52 *Maximum prices for household soaps and cleansers sold by manufacturers and certain wholesalers.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Maximum Price Regulation No. 391 (Household Soaps and Cleansers sold by Manufacturers and Certain Wholesalers), which is annexed hereto and made part hereof, is hereby issued.

MAXIMUM PRICE REGULATION NO. 391—HOUSEHOLD SOAPS AND CLEANSERS SOLD BY MANUFACTURERS AND CERTAIN WHOLESALESA

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

Sec.

1. Prohibition against dealing in household soaps and cleansers by manufacturers and certain wholesalers at prices above maximum.
2. Less than maximum prices.
3. To what products, transactions, and persons this regulation applies and the relation to other regulations.
4. Products, transactions, and persons not covered by this regulation.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

5. Maximum prices for sales of household soaps and cleansers by manufacturers.
6. Maximum prices for sales of household soaps and cleansers by wholesalers to retail food stores.

ARTICLE III—MISCELLANEOUS

7. Petitions for amendment.
8. Records and reports.
- 8a. Billing and marking requirements.
9. Enforcement.
- 9a. Licensing.
10. Federal and state taxes.
11. Definitions.

AUTHORITY: § 1386.52 issued under 58 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

SECTION 1. *Prohibition against dealing in household soaps and cleansers by manufacturers and certain wholesalers at prices above maximum.* On and after May 24, 1943, regardless of any contract, agreement, or other obligation:

(a) No manufacturer shall sell, deliver, or transfer any household soaps or cleansers at prices higher than the maximum prices set forth in section 5 of this regulation.

(b) No wholesaler shall sell, deliver, or transfer any household soaps or cleansers to a retail food store at prices higher than the maximum prices set forth in section 6 of this regulation.

(c) No wholesaler shall buy or receive any such household soaps or cleansers in the course of trade or business at prices higher than the maximum prices set forth in section 5 of this regulation.

(d) No retail food store shall buy or receive any such household soaps or cleansers in the course of trade or business at prices higher than the maximum prices set forth in section 6 of this regulation.

(e) None of the respective classes of persons in this section designated shall agree, offer, solicit, or attempt to do any of the foregoing acts which are by this section prohibited: *Provided*, That the provisions of this regulation shall not apply to sales or deliveries of household soaps or cleansers if prior to May 24, 1943, such household soaps and cleansers had been received by a carrier other than a carrier owned or controlled by the seller for shipment to the purchaser.

Sec. 2. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, paid, or offered.

Sec. 3. *To what products, transactions, and persons this regulation applies and the relation to other regulations—(a) Products covered by this regulation.* This regulation covers household soaps and cleansers.

(1) "Household soaps and cleansers" are defined in detail for the purpose of this regulation in section 11.

[Subparagraph (1) amended by Am. 1, 8 F.R. 13500, effective 10-8-43 and Am. 3, effective 6-24-44]

(b) *Transactions covered by this regulation.* (1) All sales of household soaps and cleansers by the manufacturer thereof.

(i) "Manufacturer" means a person who:

(1) Produces a household soap or cleanser; or

(2) Puts a household soap or cleanser into packages or cuts or stamps same into bars or cakes and sells said packages, bars or cakes under his own or another's brand name; or

(3) Owns the brand name of a household soap or cleanser; or

(4) Uses soap, soap products, soapless detergents or cleansers made by others as a raw material, and by the addition of other materials makes a finished product which is sold for detergent uses.

[Subdivision (i) amended by Am. 3, effective 6-24-44]

(2) All sales of household soaps and cleansers by a wholesaler to a retail food store.

(i) "Wholesaler" means a person other than an owner of a brand name who purchases a household soap or cleanser and resells it without changing its form to a retail food store. "Wholesaler" includes a person who puts a household soap or cleanser, not produced by him, into packages, or cuts or stamps same into bars or cakes, and sells said packages, bars, or cakes unbranded. A branch unit of any manufacturer which performs a wholesale function is deemed a wholesaler.

[Subdivision (i) amended by Am. 3, effective 6-24-44]

(ii) "A retail food store" means a store in which 50 percent or more of the gross dollar sales volume is from the sale

of food products or the food department of any store.

(c) *Persons covered by this regulation.* (1) All manufacturers as above defined of household soaps or cleansers. (See section 5 for manufacturer's maximum prices.)

[Subparagraph (1) amended by Am. 3, effective 6-24-44]

(2) All wholesalers of household soaps and cleansers who sell such commodities to retail food stores. (See section 6 for wholesaler's maximum prices.)

(d) *Applicability of the General Maximum Price Regulation.*² The provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of household soaps and cleansers for which maximum prices are established by this regulation except for the provisions hereinafter indicated.

(1) Section 1499.5 (Transfers of business or stock in trade).

(2) Section 1499.11 (Base period records).

(3) Revised Supplementary Regulation No. 1. (Exclusion of certain sales to and by United States agencies and war contracts with United States and other governments.)

(e) *Geographical applicability.* The provisions of this regulation shall be applicable to the continental United States.

(f) *Export sales.* The maximum price at which a person may export household soaps and cleansers shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation⁴ issued by the Office of Price Administration.

(g) *Import sales.* The provisions of this regulation supersede the provisions of the Maximum Import Price Regulation⁵ and the General Maximum Price Regulation with respect to sales, deliveries and transfers of imported household soaps and cleansers for which maximum prices are established by this regulation.

[Paragraph (g) amended by Am. 2, 9 F.R. 4441, effective 5-5-44]

Sec. 4. *Products, transactions, and persons not covered by this regulation.* (a) The following products, persons, and transactions are not subject to the terms and conditions of this regulation.

(1) Sales by a manufacturer of soap products which are not household soaps or cleansers. (For example, a sale of U. S. P. powdered or granulated castile soap to pharmaceutical manufacturers for use in the manufacture of tablets for medicinal use is not covered.)

[Subparagraph (1) amended by Am. 3, effective 6-24-44]

(2) Sales of household soaps and cleansers by a wholesaler to any person other than a retail food store. (For example, sales by a wholesaler to a retail

drug store or dry goods store are not covered.)

(b) Each of the transactions stated in paragraph (a) above are covered by the General Maximum Price Regulation and the maximum prices therefor shall be the seller's maximum price as determined under such General Maximum Price Regulation.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

Sec. 5. *Maximum prices for sales of household soaps and cleansers by manufacturers.* The maximum delivered prices before cash discounts for carload quantities on sales of the household soaps and cleansers listed below by manufacturers thereof shall not exceed the prices listed therefor in the following table.

For instructions on methods of establishing maximum prices for unlisted household soaps and cleansers, for methods of establishing maximum prices on new size packs, and for sales of listed household soaps and cleansers in less than carload quantities, see paragraphs (I), (g), (h), and (i) at the end of this table.

[Above text amended by Am. 3, effective 6-24-44]

(a) *Maximum prices for bar or cake toilet soaps.*

Brand	Size	Pack	Carload price per case before cash discount
Camay.....	Bath.....	100	\$3.624
Camay.....	Bath.....	50	4.492
Camay.....	Regular.....	144	8.033
Camay.....	Regular.....	72	4.375
Camay Barquest.....	Regular.....	144	10.169
Crystal White.....	Regular.....	100	3.850
Crystal White.....	Regular.....	50	4.679
Felvy.....	Regular.....	72	3.259
Homagush.....	Regular.....	144	3.580
Ivory.....	Guest.....	144	5.829
Ivory.....	Guest.....	72	2.859
Ivory.....	Large.....	100	8.621
Ivory.....	Large.....	50	4.511
Ivory.....	Medium.....	100	5.235
Kliras Coco Handwater.....	Regular.....	100	3.529
Castile.....	Large.....	100	8.003
Lava.....	Large.....	50	4.074
Lava.....	Regular.....	100	8.257
Lava.....	Regular.....	50	2.693
Lifebury.....	Regular.....	100	6.000
Lifebury.....	Regular.....	50	3.025
Lux.....	Bath.....	50	4.275
Lux.....	Regular.....	100	6.000
Lux.....	Regular.....	50	3.025
Octagon.....	Regular.....	144	3.829
Octagon.....	Regular.....	72	2.449
Palmolive.....	Bath.....	100	3.559
Palmolive.....	Bath.....	50	4.519
Palmolive.....	Regular.....	144	3.859
Palmolive.....	Regular.....	72	4.579
Staro Flco.....	Regular.....	144	3.459
Staro Flco.....	Regular.....	72	4.279
Swan.....	Large.....	100	8.553
Swan.....	Large.....	50	4.253
Swan.....	Regular.....	100	3.529
Swan.....	Regular.....	50	4.259
Swan.....	Regular.....	100	3.529
White King.....	Regular.....	100	4.553
White King.....	Regular.....	50	2.169
Woolbury.....	Regular.....	144	13.150

[Table amended by Am. 2, 9 F.R. 4441, effective 5-5-44]

² 9 F.R. 1385, 5169, 6108.

⁴ 8 F.R. 4132, 5987, 7662, 9398, 15193; 9 F.R. 1036.

⁵ 9 F.R. 2350.

(b) *Maximum prices for bar laundry soaps.*

Brand	Size	Pack	Carload price per case before cash discount
American Family	Large	80	\$3.977
Crystal White	Large	80	3.250
Crystal White	Regular	100	3.490
Fels Naptha	Regular	100	4.450
Kirkman Borax	Regular	100	4.250
Octagon	Large	100	4.120
Octagon	Small	120	2.760
P & G White Laundry	Large	100A	4.074
P & G White Laundry	Regular	100	3.735
P & G White Laundry	Large	80	3.250
P & G White Laundry	Regular	100B	3.492
Tag	Regular	72	3.60
White King	Large	80	3.230
White King	Regular	100	3.490

(c) *Maximum prices for cleansers and scouring powders.*

Brand	Size (ounces)	Pack	Carload price per case before cash discount
Bab-O	14	48	\$4.387
Bab-O	14	24	2.194
Cameo Cleanser	14	48	2.780
Gold Dust	14	24	1.050
Kitchen Kleenzer	13	40	2.000
Lighthouse	14	48	1.810
Octagon	13	48	1.790
Old Dutch	14	48	3.050
Sunbrite	13	48	2.016
Sunbrite	13	72	3.024

[Table amended by Am. 2, 9 F.R. 4441, effective 5-5-44]

(d) *Maximum prices for package soaps.*

Brand	Size (ounces)	Pack	Carload price per case before cash discount
American Family Flakes	43	12	\$5.141
American Family Flakes	21	24	4.947
American Family Flakes	8	60	4.947
Chippo Flakes or Granulated	21 1/2	24	4.899
Chippo Flakes	8 1/2	60	4.899
Dash	67	12	5.626
Dash	33 1/2	24	5.626
Dreft	4	60	4.850
Dreft	8 1/2	24	4.850
Dreft	23 1/2	9	4.753
Duz	62 1/2	8	4.603
Duz	21 1/2	24	4.899
Duz	8 1/2	60	4.899
Ivory Flakes	12 1/2	24	4.850
Ivory Flakes	5	60	4.850
Ivory Snow	12 1/2	24	4.850
Ivory Snow	5	60	4.850
Ivory Snow	5	30	2.425
Kirkman Flakes	18	24	4.950
Kirkman Flakes	7	60	4.950
Kirkman Granulated	24	24	4.900
Kirkman Granulated with bar	21 1/2	24	5.200
Klek	17 1/2	24	4.270
Klek	8 1/2	48	4.170
Lux Flakes	12 1/2	20	4.100
Lux Flakes	5	100	8.250
Lux Flakes	5	60	4.150
Lux Flakes	28	9	4.000
Magic Washer	8	60	4.700
Magic Washer	25	24	4.700
Magic Washer	80	8	4.650
Octagon Granulated	24	24	4.900
Octagon Flakes	18	24	4.900
Oxydol	60	8	4.603
Oxydol	24	24	4.899
Oxydol	9	60	4.899
Par Granulated	23	24	4.925
Par Granulated	50	12	5.225
Par Granulated	60	8	4.575
Peets Granulated	24	24	4.350
Peets Granulated	33	24	5.630
Peets Granulated	36	24	5.630
Peets Granulated	70	12	5.630
Rinso	69	8	4.600
Rinso	24	24	4.900
Rinso	9	60	4.900

Brand	Size (ounces)	Pack	Carload price per case before cash discount
Scotch Granulated	64	8	\$4.030
Scotch Granulated	48	12	4.550
Scotch Granulated	31	24	5.070
Scotch Granulated	22	24	4.410
Scotch Granulated	8	48	3.700
Selox	17 1/2	24	2.959
Selox	6 1/2	48	2.937
Silver Dust	21 1/2	24	5.180
Super Suds	61 1/2	8	4.610
Super Suds	24	24	4.800
Super Suds	21 1/2	24	4.800
Super Suds	9	60	4.800
Super Suds	8 1/2	60	4.900
Twenty Mule Team Borax Soap Suds	22	24	4.500
White King Granulated	62	8	4.700
White King Granulated	48	12	5.250
White King Granulated	23	24	6.290
White King Granulated	9	24	6.030
White King Granulated	9	48	4.200

[Table amended by Am. 1, 8 F.R. 13500, effective 10-8-43; Am. 2, 9 F.R. 4441, effective 5-5-44]

(e) *Maximum prices for washing powders.*

Brand	Size (ounces)	Pack	Carload price per case before cash discount
Gold Dust	36	12	\$1.750
Gold Dust	10	60	2.450
Gold Dust	6 1/2	100	2.600
Grandma	39	12	1.601
Grandma	8 1/2	100	2.474
Kirkman	40	12	1.850
Kirkman	12	60	2.100
Mermaid	44	24	3.940
Mermaid	10	48	2.160
Octagon	40	20	2.720
Octagon	13	60	2.330
Octagon	6 1/2	120	2.760
OK	14 1/2	60	2.280
OK	7 1/2	120	2.280
Star	8 1/2	100	2.474

(f) *The maximum price for any household soap or cleanser not listed in the table above, whether branded or unbranded, packaged, cut or bulk shall be:*

[Above text amended by Am. 3, effective 6-24-44]

(1) The highest price which the manufacturer charged for such commodity delivered by him during January 1943 or

(2) If the manufacturer made no delivery of such commodity during January 1943 his highest offering price for delivery during that month.

(3) If the manufacturer did not deliver or offer to deliver such commodity during January 1943, the maximum price shall be the manufacturer's maximum price as determined under the General Maximum Price Regulation.

[Subparagraph (3) added by Am. 1, 8 F.R. 13500, effective 10-8-43]

[Paragraph (f), formerly (g), redesignated by Am. 3, effective 6-24-44]

(g) *How to compute your carload ceiling price on a new-size pack assembled in order to comply with War Production Board Limitation Order 317—Fibre Shipping Containers, dated March 23, 1944.* By "new-size pack" is meant a pack containing a number of units different than the number in any pack for which a

maximum price has been established in the table of maximum prices listed above, or in the case of unlisted soap products, for which a maximum price has been established prior to March 23, 1944.

(1) Find your present ceiling price on the old pack containing the same product in the same size bar or package by reference to the table in paragraphs (a), (b), (c), (d), or (e) above or, if your product is not listed in the foregoing table, by computation according to paragraph (f) above. All "new-size packs" must be priced with reference to a pack for which a maximum price was established in one of the paragraphs of the table of maximum prices listed above or, in the case of unlisted soap products, for which a maximum price had been established under paragraph (f) above, prior to March 23, 1944. You may not determine a maximum price for one "new-size pack" on the basis of the maximum price previously determined for another "new-size pack."

(2) If you had two or more sizes of old packs containing the same product in the same size bar or package, select the ceiling price of the old pack containing the number of units most nearly equal to the number of units in the new-size pack; if the number of units in the new pack is exactly midway between the number of units in two different old packs, select the ceiling price of the larger old pack.

(3) Divide the ceiling price of the old pack selected under (1) and (2) above, by the number of bars or packages contained in such old pack, carrying out your answer to the nearest thousandth of a cent.

(4) Multiply this last figure by the number of bars or packages contained in the new pack and round to the nearest tenth of a cent. This figure is your ceiling price for the new pack.

Example: Product sold in old packs of 50 and 100: new-size pack will be 150. Price of 100 pack, \$8.075, and of the 50 pack, \$4.083.

Divide price of old pack containing the number of units nearest to 150 (the 100 unit pack): \$8.075, by number of units contained (100): \$.08075.

Multiply \$.08075 by 150 to get ceiling price for new-size pack: \$12.1125 rounded to nearest tenth of a cent or \$12.113.

The above method of computation is not required to be used as the only method of computation. Any method may be used so long as the result obtained as the maximum price per case for a given new-size pack is not greater than that which would be obtained by use of the above method. For example, manufacturers who have customarily

used list prices higher than the maximum prices set forth in the table above and used discounts from those list prices to arrive at their selling prices may continue to do so, adjusting their list prices accordingly, so long as the result thereby obtained does not lead to a higher maximum price per case of new-size pack than the maximum price which would be obtained by the method described here.

You must mark on the exterior of any changed-size pack the number of bars or packages it contains. In addition, when delivering a new-size pack for the first time to a wholesaler who resells to retail food stores, you must indicate on your invoices to such buyers which items are new-size packs by marking the letter "N" before such items on the invoice; at the same time you will state on your invoice,

"N" before an item indicates a new-size pack, whose resale ceiling price is to be computed in accordance with the enclosed instructions.

You will enclose with your invoice the following:

Instructions—How to compute your ceiling price on a new-size pack assembled in compliance with War Production Board Limitation Order No. 317—Fibre Shipping Containers, dated March 23, 1944, when selling to retail food stores. (1) Find your ceiling price on the old pack containing the same product in the same size bar or package.

(2) If there are two or more sizes of old packs containing the same product in the same size bar or package, select the ceiling price of the old pack containing the number of units most nearly equal to the number of units in the new-size pack; if the number of units in the new-size pack is exactly midway between the number of units in two different old packs, select the ceiling price of the larger old pack.

(3) Divide the ceiling price of the old pack selected under (1) and (2) above, by the number of units contained in such old pack, carrying out your answer to the nearest hundredth of a cent.

(4) Multiply this last figure by the number of bars or packages contained in the new pack and round to the nearest cent. The answer is your ceiling price for the new pack.

Example: You sold product in old packs of 50 and 100. New-size pack will be 150. Your ceiling price of the 100 pack is \$8.33 f. o. b. warehouse sale, and \$8.51 service sale.

To obtain your ceiling price on an f. o. b. warehouse sale of the new-size pack, divide \$8.33 (the price of the old pack containing the number of units most nearly equal to the number of units in the new-size pack)

by the number of units in the old pack (100): \$0.0833. Multiply \$0.0833 by the number of units in the new-size pack (150): \$12.495, rounded to \$12.50.

To obtain your ceiling price on a service sale of the new-size pack divide \$8.51 by 100 and multiply by 150 or \$12.765 rounded to \$12.77.

[Paragraph (g) added by Am. 3, effective 6-24-44]

(h) Less-than-carload quantities—(1) Packs other than new-size packs.

When sales of the household soaps and cleansers listed in the table above are made in less-than-carload quantities, their respective maximum prices may be increased by a sum equal to the seller's differential for such less-than-carload quantity in effect in January 1943. (For example, if in January 1943 the seller's carload delivered price for X brand before cash discount was \$4.90 per case and his price for 100 cases, delivered, was \$5.00 per case, he may, upon a sale of 100 cases, add 10¢ per case to the price listed in the table above.)

(2) New-size pack price in less-than-carload quantities. If you had established a maximum price or prices per case in less-than-carload quantities differing from the price per case in carload quantities in accordance with (1) above, such less-than-carload price or prices per case in the new-size pack shall be determined similarly to the procedure described in paragraph (g) above for carload prices, that is, by dividing the maximum price or prices per case of the old pack in less-than-carload quantities by the number of bars or packages it contains and multiplying the figure or figures thus obtained by the number of bars or packages contained in the new-size pack, rounding to the nearest full cent.

Where you had more than one less-than-carload price depending upon the number of old packs sold at one time, the quantity brackets used to determine the price applicable to a sale of a given quantity shall be expressed in the total number of bars or packages involved rather than the total number of cases. Purchasers of such quantities of bars or packages shall pay the price per case applicable to such quantity brackets expressed in the number of bars or packages, regardless of the number of cases involved.

Example:

OLD PACK PRICES—100 BARS TO CASE
Per case
O. L. ----- \$5.00
L. C. L.:
100 or more cases ----- 5.10
(10,000 bars or more).

OLD PACK PRICES—100 BARS TO CASE—Con.

L. C. L.—Continued. Per case
50 to 59 cases ----- 5.20
(5,000 bars to 10,000).
Less than 50 cases ----- 5.30
(Up to 5,000 bars).

NEW-SIZE PACK PRICES—150 BARS TO CASE

Per case
C. L. ----- \$7.50
L. C. L.:
67 or more cases (10,000 bars or more) ----- 7.65
34 to 66 cases (5,000 bars to 10,000) ----- 7.80
Less than 34 cases (up to 5,000 bars) ----- 7.95

Thus, a purchaser of 40 new-size packs, having a total of 6,000 units, would be entitled to the price per case for sales of more than 5,000 units, or \$7.50.

[Paragraph (h), formerly (f), redesignated and amended by Am. 3, effective 6-24-44]

(i) Each manufacturer shall continue to allow the cash and quantity discounts allowed by him during January 1943 which were most favorable to the buyer.

Redemption or premium plans offered by the manufacturer wherein the manufacturer offers to redeem a tag, wrapper, coupon or other evidence of a purchase of his product, for something of value, whether cash, commodity, "trading stamp" or similar right, or a service, shall be deemed a cash or quantity discount to the buyer within the meaning of this section whether the buyer purchases directly from the manufacturer or indirectly through a wholesaler, distributor, or retailer.

[Paragraph (i), formerly (h), amended by Am. 2, 9 P.R. 4441, effective 5-5-44 and redesignated by Am. 3, effective 6-24-44]

[NOTE: Revised Supplementary Order No. 34 (8 P.R. 12404) permits, under certain conditions, the addition of extra packing expenses to maximum prices on sales to procurement agencies of the United States.]

SEC. 6. Maximum prices for sales of household soaps and cleansers by wholesalers to retail food stores. The maximum prices of household soaps and cleansers listed in the table below, when sold to a retail food store by a wholesaler who has purchased such product in carload quantities shall be, for an f. o. b. warehouse sale, the price therefor listed in Column A of the table, and for a service sale, the delivered price therefor listed in Column B of the table. None of the maximum prices established in this section 6 may be increased by reason of the extension of credit to the buyer by the seller.

For instructions concerning the maximum prices for the products listed in the tables below when sold to a retail food store by a wholesaler who has purchased the product sold on a less-than-carload basis, for instructions concerning additions of surcharges for remote deliveries, for instructions on the method of estab-

lishing maximum prices for sales of household soaps and cleansers not listed in the table below, and for the method of establishing maximum prices for sales of household soaps and cleansers in new-size packs, see paragraphs (f), (g), (h), (i), and (j) at the end of this table.

[Above text amended by Am. 3, effective 6-24-44]

(a) Maximum prices for bar or cake toilet soaps.

Brand	Size	Pack	Column A F. o. b. ware- house price per case	Column B Service price per case
Camay.....	Bath.....	100	\$9.21	\$9.40
Camay.....	Bath.....	50	4.63	4.73
Camay.....	Regular.....	144	8.91	9.10
Camay.....	Regular.....	72	4.50	4.60
Cashmere Bouquet.....	Regular.....	144	10.42	10.64
Crystal White.....	Regular.....	100	4.60	4.69
Crystal White.....	Regular.....	50	2.03	2.08
Fairy.....	Regular.....	72	3.35	3.42
Honeysuckle.....	Regular.....	144	5.76	5.88
Ivory.....	Guest.....	144	6.00	6.13
Ivory.....	Guest.....	72	3.05	3.12
Ivory.....	Large.....	100	9.23	9.42
Ivory.....	Large.....	50	4.66	4.76
Ivory.....	Medium.....	100	5.51	5.63
Kirk's Coco Hard-water Castile.....	Regular.....	100	4.05	4.14
Lava.....	Large.....	100	8.26	8.43
Lava.....	Large.....	50	4.20	4.29
Lava.....	Regular.....	100	5.45	5.57
Lava.....	Regular.....	50	2.75	2.81
Lifebuoy.....	Regular.....	100	6.19	6.32
Lifebuoy.....	Regular.....	50	3.12	3.19
Lux.....	Bath.....	50	4.41	4.59
Lux.....	Regular.....	103	6.19	6.32
Lux.....	Regular.....	50	3.12	3.19
Octagon.....	Regular.....	144	6.00	6.13
Octagon.....	Regular.....	72	3.03	3.10
Palmolive.....	Bath.....	100	8.83	9.02
Palmolive.....	Bath.....	50	4.44	4.54
Palmolive.....	Regular.....	144	8.91	9.10
Palmolive.....	Regular.....	72	4.51	4.60
Sierra Pine.....	Regular.....	144	8.67	8.85
Sierra Pine.....	Regular.....	72	4.33	4.43
Swan.....	Large.....	100	9.23	9.42
Swan.....	Large.....	50	4.66	4.76
Swan.....	Regular.....	103	5.51	5.63
Sweetheart.....	Regular.....	100	6.00	6.13
Sweetheart.....	Regular.....	50	3.00	3.07
White King.....	Regular.....	100	4.40	4.55
White King.....	Regular.....	50	2.23	2.28
Woodbury.....	Regular.....	144	10.47	10.70

[Table amended by Am. 2, 9 F.R. 4441, effective 5-5-44]

(b) Maximum prices for bar laundry soaps.

Brand	Size	Pack	Column A F. o. b. ware- house price per case	Column B Service price per case
American Family.....	Large.....	80	\$4.10	\$4.19
Crystal White.....	Large.....	80	3.35	3.42
Crystal White.....	Regular.....	100	3.60	3.63
Fels Naphtha.....	Regular.....	100	4.59	4.69
Kirkman Borax.....	Regular.....	100	4.33	4.48
Octagon.....	Large.....	100	4.25	4.34
Octagon.....	Small.....	120	2.85	2.91
P & G White Laundry.....	Large.....	100A	4.20	4.29
P & G White Laundry.....	Regular.....	100	3.85	3.94
P & G White Laundry.....	Large.....	80	3.35	3.43
P & G White Laundry.....	Regular.....	100B	3.60	3.63
Tag.....	Regular.....	72	3.71	3.79
White King.....	Large.....	80	3.35	3.43
White King.....	Regular.....	100	3.60	3.63

(c) Maximum prices for cleansers and scouring powders.

Brand	Size	Pack	Column A F. o. b. ware- house price per case	Column B Service price per case
Bab-O.....	14	48	\$4.62	\$4.72
Bab-O.....	14	24	2.31	2.36
Cameo Cleanser.....	14	48	3.13	3.20
Gold Dust.....	14	24	1.11	1.13
Kitchen Klenzer.....	13	40	2.11	2.15
Lighthouse.....	14	48	1.91	1.95
Octagon.....	13	48	1.89	1.93
Old Dutch.....	14	48	3.21	3.29
Sunbrite.....	13	48	2.12	2.17
Sunbrite.....	13	72	3.19	3.26

[Table amended by Am. 2, 9 F.R. 4441, effective 5-5-44]

(d) Maximum prices for package soaps.

Brand	Size	Pack	Column A F. o. b. ware- house price per case	Column B Service price per case
American Family Flakes.....	43	12	\$5.30	\$5.42
American Family Flakes.....	21	24	5.10	5.21
American Family Flakes.....	8	60	5.10	5.21
Chipso Flakes or Granulated.....	21 1/2	24	5.05	5.16
Chipso Flakes.....	8 1/2	60	5.05	5.16
Dash.....	67	12	5.80	5.93
Dash.....	33 1/2	24	5.80	5.93
Dreft.....	4	60	5.00	5.11
Dreft.....	8 1/2	24	5.00	5.11
Dreft.....	23 1/2	9	4.90	5.01
Duz.....	62 1/2	8	4.75	4.86
Duz.....	21 1/2	24	5.05	5.16
Duz.....	8 1/2	60	5.05	5.16
Ivory Flakes.....	12 1/2	24	5.00	5.11
Ivory Flakes.....	5	60	5.00	5.11
Ivory Snow.....	12 1/2	24	5.00	5.11
Ivory Snow.....	5	60	5.00	5.11
Ivory Snow.....	5	30	2.50	2.60
Kirkman Flakes.....	18	24	5.11	5.22
Kirkman Flakes.....	7	60	5.11	5.22
Kirkman Granulated.....	24	24	5.05	5.16
Kirkman Granulated with bar.....	21 1/2	24	5.36	5.48
Kick.....	17 1/2	24	4.40	4.50
Kick.....	8 1/2	48	4.30	4.39
Kick.....	8 1/2	20	4.23	4.32
Lux Flakes.....	12 1/2	24	5.00	5.11
Lux Flakes.....	5	100	8.51	8.69
Lux Flakes.....	5	50	4.28	4.37
Lux Flakes.....	28	9	4.13	4.22
Lux Flakes.....	8	60	4.85	4.95
Magic Washer.....	25	24	4.85	4.95
Magic Washer.....	80	8	4.80	4.90
Magic Washer.....	24	24	5.05	5.16
Octagon Granulated.....	18	24	5.05	5.16
Octagon Flakes.....	69	8	4.75	4.86
Oxydol.....	24	24	5.05	5.16
Oxydol.....	9	60	5.05	5.16
Par Granulated.....	23	24	5.08	5.19
Par Granulated.....	50	12	5.30	5.51
Par Granulated.....	69	8	4.72	4.82
Peets Granulated.....	24	24	4.49	4.53
Peets Granulated.....	33	24	5.81	5.93
Peets Granulated.....	36	24	5.81	5.93
Peets Granulated.....	70	12	5.81	5.93
Rinso.....	69	8	4.75	4.86
Rinso.....	24	24	5.05	5.16
Rinso.....	9	60	5.05	5.16
Scotch Granulated.....	64	8	4.16	4.25
Scotch Granulated.....	48	12	4.69	4.79
Scotch Granulated.....	31	24	5.85	5.97
Scotch Granulated.....	22	24	4.55	4.65
Scotch Granulated.....	8	48	3.82	3.90
Solox.....	17 1/2	24	3.05	3.12
Solox.....	6 1/2	48	2.10	2.15
Silver Dust.....	21 1/2	24	5.35	5.47
Super Suds.....	69	8	4.76	4.86
Super Suds.....	61 1/2	8	4.76	4.86
Super Suds.....	24	24	5.05	5.16
Super Suds.....	21 1/2	24	5.05	5.16
Super Suds.....	9	60	5.05	5.16

Brand	Size	Pack	Column A F. o. b. ware- house price per case	Column B Service price per case
Super Suds.....	8 1/4	60	5.05	5.16
Twenty Mule Team Borax Soap Suds.....	22	24	4.64	4.74
White King Granulated.....	62	8	4.85	4.95
White King Granulated.....	40	12	5.42	5.53
White King Granulated.....	28	24	6.50	6.63
White King Granulated.....	22	24	5.10	5.30
White King Granulated.....	9	48	4.39	4.49

[Table amended by Am. 1, 8 F.R. 13500, effective 10-8-43; Am. 2, 9 F.R. 4441, effective 5-5-44]

(e) Maximum prices for washing powders.

Brand	Size (ounces)	Pack	Column A F. o. b. ware- house price per case	Column B Service price per case
Gold Dust.....	36	12	\$1.84	\$1.89
Gold Dust.....	10	60	2.58	2.61
Gold Dust.....	6 1/2	100	2.74	2.89
Grandma.....	39	12	1.69	1.72
Grandma.....	8 1/4	100	2.61	2.69
Kirkman.....	40	12	1.95	1.99
Kirkman.....	12	60	2.21	2.29
Mermald.....	44	24	4.16	4.24
Mermald.....	10	48	2.28	2.34
Octagon.....	40	20	2.87	2.93
Octagon.....	13	60	2.40	2.41
Octagon.....	6 1/2	120	2.91	2.97
OK.....	14 1/2	60	2.40	2.49
OK.....	7 1/2	120	2.40	2.49
Star.....	8 1/2	100	2.61	2.69

(f) Instructions. The maximum selling price of the products listed in the table above, when sold to a retail food store by a wholesaler who purchased the product sold on a less than carload basis, may be increased by a sum equal to the difference between the manufacturer's carload maximum price per case and the manufacturer's actual selling price per case for the quantity purchased. (For example, if the manufacturer lists a price of \$5.00 per case before cash discount for delivered carload quantities of X brand soap and the wholesaler actually buys only 100 cases for which he pays \$5.15 per case delivered before cash discount, he may add 15 cents per case on this hundred-case quantity to the maximum price established for X brand soap in the table above.)

[Paragraph (f) amended by Am. 1, 8 F.R. 13500, effective 10-8-43]

(g) Instructions. A wholesaler making a delivery in a remote area or zone for which he customarily added a surcharge for delivery in March 1942 may continue to add an amount equal to such customary surcharge to the maximum prices established in column B of the table above. (For example, if the wholesaler customarily made a special charge of 5 cents a case for delivering any soap product listed in the table above to any retail food store located more than

25 miles outside the city limits, he may add 5 cents per case to the maximum prices established in column B of the table above for his deliveries of such soap product to any retail food store more than 25 miles outside the city limits.)

(h) *Instructions.* Upon a sale of either a listed or unlisted household soap or cleanser by a branch unit of any manufacturer which performs a wholesaler function, the invoice price (not in excess of the manufacturer's maximum price) to the branch unit shall be deemed to be the actual cost of the household soap or cleanser.

[Paragraph (h) amended by Am. 1, 8 F.R. 13500, effective 10-8-43]

(i) *Instructions.* (1) The maximum prices for a sale of an unbranded or bulk household soap or cleanser shall be

(i) Upon an f. o. b. warehouse sale of bar toilet soap, bar laundry soap or package soap, the actual cost to the seller before cash discount multiplied by 1.04.

(ii) Upon an f. o. b. warehouse sale of a cleanser, scouring powder or washing powder, the actual cost to the seller before cash discount multiplied by 1.06.

(iii) Upon a service sale of bar toilet soap, bar laundry soap, or package soap, the actual cost to the seller before cash discount, multiplied by 1.06, plus, in the case of a delivery to a remote area for which a delivery surcharge was customarily added in March 1942, an amount equal to such customary surcharge.

(iv) Upon a service sale of a cleanser, scouring powder or washing powder, the actual cost to the seller before cash discount multiplied by 1.08, plus, in the case of a delivery to a remote area for which a delivery surcharge was customarily added in March 1942, an amount equal to such customary surcharge.

(2) The maximum price for a brand of household soap or cleanser (other than a bulk soap or cleanser) not listed in the table above shall be at the seller's option either:

(i) The seller's maximum price as determined under the General Maximum Price Regulation, or

(ii) The seller's actual cost multiplied by the appropriate mark-up factor in subparagraph (1) above.

[Paragraph (i) amended by Am. 1, 8 F.R. 13500, effective 10-8-43, and Am. 3, effective 6-24-44]

(j) *Instructions—How to compute your ceiling price on a new-size pack assembled in compliance with War Production Board Limitation Order No. 317—Fibre Shipping Containers, dated March 23, 1944.* By "new-size pack" is meant a pack containing a number of units differing from any pack for which a maximum price had been established in one of the tables of maximum prices listed

above or in the case of unlisted soap products, for which a maximum price had been established prior to March 23, 1944.

(1) Find your present ceiling price on the old pack containing the same product in the same size bar or package by reference to paragraphs (a), (b), (c), (d), or (e) of the table above if the product is listed therein, or by computation according to paragraph (1) above if the product is not listed in the foregoing table. All "new-size packs" must be priced with reference to a pack for which a maximum price was established in one of the paragraphs of the table of maximum prices listed above or, in the case of an unlisted soap product, for which a maximum price had been established under paragraph (1) above prior to March 23, 1944. You may not determine a maximum price for one "new-size pack" on the basis of the maximum price previously determined for another "new-size pack."

(2) If you had two or more sizes of old packs containing the same product in the same size bar or package, select the ceiling price of the old pack containing the number of units most nearly equal to the number of units in the new-size pack; if the number of units in the new pack is exactly midway between the number of units in two different old packs, select the ceiling price of the larger old pack.

(3) Make any necessary adjustments to this price under paragraphs (f) and (g) above, if applicable.

(4) Divide the ceiling price obtained by (1) and (3), or (2) and (3) above, by the number of bars or packages contained in the old pack selected under (1) and (2) above and carry out the answer to the nearest hundredth of a cent.

(5) Multiply this last figure by the number of bars or packages contained in the new pack and round the answer to the nearest cent. This figure will be your ceiling price for the new-size pack.

Example: You sold product in old packs of 50 and 100; new-size packs will be 150. Your ceiling prices for the old packs containing the number of units nearest to 150 (the 100 unit pack) was \$8.33 f. o. b. warehouse and \$8.51 service. To obtain your f. o. b. warehouse price divide the price of the largest size pack (\$8.33) by the number of units contained (100): \$0.0833. Multiply \$0.0833 by number of units contained in new pack (150): \$12.495, rounded to \$12.50.

To obtain your ceiling price for a service sale, divide price of the 100 unit pack (\$8.51) by 100: \$0.0851. Multiply \$0.0851 by 150: \$12.765, rounded to \$12.77.

[Paragraph (j) added by Am. 3, effective 6-24-44]

ARTICLE III—MISCELLANEOUS

Sec. 7. Petitions for amendment. Any person seeking any modifications of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.⁶

[NOTE: Procedural Regulation No. 6 (7 F.R. 5037, 5038; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 23 (7 F.R. 8019) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

Sec. 8. Records and reports. Every manufacturer or wholesaler of household soaps and cleansers subject to this regulation shall after May 24, 1943, keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase or sale, showing the date thereof, the name and address of the buyer and the seller, and the price contracted for or paid. In addition every manufacturer or wholesaler of household soaps and cleansers subject to this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, the records showing how the maximum prices for bulk, unbranded, or unlisted soaps or cleansers were computed.

[Sec. 8 amended by Am. 3, effective 6-24-44]

Sec. 8a. Billing and marking requirements. Any manufacturer or wholesaler selling either bulk or unbranded household soaps or cleansers must indicate clearly on an invoice or notice furnished the buyer prior to payment by him whether the product is a bar toilet soap, bar laundry soap, cleanser or scouring powder, package soap, or washing powder, as defined in section 11 below. In addition, any wholesaler who packages soap and cleanser from bulk shall indicate thereon, "This is a bar toilet soap (or bar laundry soap, scouring powder or cleanser, package soap or washing powder) packaged from bulk." This section, however, shall not be applicable to sales of household soaps and cleansers to the United States or any agency thereof.

[Sec. 8a added by Am. 3, effective 6-24-44]

Sec. 9. Enforcement. Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages

⁶ 9 F.R. 5791.

provided for by the Emergency Price Control Act of 1942, as amended.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

° Sec. 9a. *Licensing.* The provisions of Licensing Order No. 1⁷ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 9a added by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

Sec. 10. *Federal and state taxes.* (a) There may be added to the maximum prices established by this regulation the amount of any tax upon the sale or delivery of household soaps and cleansers imposed by a statute of the United States or statute or ordinance of a state or subdivision thereof if, and only if:

(1) The statute or ordinance requires or permits the seller to state the tax separately from the purchase price, and

(2) The tax is separately stated and collected by the seller.

[NOTE: Supplementary Order No. 31 (7 F.R. 9894, 8 F.R. 1312, 3702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

SEC. 11. *Definitions.* (a) As used in this regulation, the term:

"Anhydrous soap content" means the anhydrous soap content as determined by the official methods for testing soap set out in Federal Specification P-S-536A for Soap and Soap Products; General Specifications for Sampling and Testing. This document can be obtained from the Superintendent of Documents, Government Printing Office, Washington, D. C.

"Bulk soap or cleanser" means any soap, soap product, soapless detergent or cleanser bought or sold by a manufacturer or wholesaler, in barrels, large sacks or bags or other sizable quantities, said commodity not having been cut into a bar or cake of a size or type customarily sold to household consumers or packaged in a container of a size or type customarily sold to household consumers.

[Above definitions added by Am. 3, effective 6-24-44]

⁷ 8 F.R. 13240.

"Carload quantity" means any quantity of household soaps or cleansers upon which the manufacturer thereof allowed a carload quantity discount in March 1942.

"Criminal penalties" means a fine of not more than \$5,000 or imprisonment for not more than one year or both.

"Discount" means any reduction of list price allowed by a seller to a buyer upon a quantity or cash purchase.

"F. O. B. warehouse sale" means a sale made f. o. b. the seller's premises.

"Household soaps and cleansers" means

(1) Any listed commodity, that is, any commodity for which a dollars and cents maximum price is established by this regulation, or

(2) Any branded or unbranded, cut, packaged, or bulk, soap, soap product, soapless detergent or cleanser similar in type and function to a listed commodity and classified in one of the following categories:

(i) "Bar toilet soap," meaning any bar or cake soap sold for toilet use.

(ii) "Bar laundry soap," meaning any bar soap sold for laundry use, including but not limited to white or yellow bar laundry soap.

(iii) "Cleanser and scouring powder," meaning any soap product containing powdered abrasive material with or without alkali builders.

(iv) "Package soap," meaning any fine fabric or general laundry soap in the form of chips, flakes, granules, powder or similar forms with base anhydrous soap content of 50 per cent or more, or any soapless detergents which have the same use and purpose as such soaps.

(v) "Washing powders," meaning any soap powders with base anhydrous soap content of less than 50 per cent.

[Above definition amended by Am. 1, 8 F.R. 13500, effective 10-8-43 and Am. 3, effective 6-24-44]

"Manufacturer" means a person who:

(1) Produces a household soap or cleanser;

(2) Puts a household soap or cleanser into packages or cuts or stamps same into bars or cakes and sells said packages, bars or cakes under his own or another's brand name; or

(3) Owns the brand name of a household soap or cleanser; or

(4) Uses soap, soap products, soapless detergents or cleansers made by others as a raw material, and by the addition of other materials makes a finished product which is sold for detergent uses.

[Above definition amended by Am. 3, effective 6-24-44]

"Offering price" means that price at which the seller would have been willing to sell the product upon a bona fide offer to purchase.

"Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

"Retail food store" means a store in which 50 percent or more of the gross dollar sales volume is from the sale of food products or the food department of any store.

"Service sale" means a sale in which the seller delivers the goods to a point other than his own premises.

"Suits for treble damages" means if any person selling household soaps and cleansers violates this regulation, the person who buys such commodity for use or consumption other than in the course of trade or business may bring an action either for \$50 or for treble the amount by which the consideration exceeded the applicable maximum price, whichever is the greater, plus reasonable attorney's fees and costs as determined by the court. If any person selling such commodity violates this regulation and the buyer is not entitled to bring suit or action, the Administrator may bring such action on behalf of the United States.

"Surcharge for delivery" means a charge made for a delivery in a remote area which is over and above the seller's usual delivery charge in a less remote area.

"Wholesaler" means a person other than the owner of a brand name who purchases a household soap or cleanser and resells it without changing its form to a retail food store. "Wholesaler" includes a person who puts a household soap or cleanser, not produced by him, into packages, or cuts or stamps same into bars or cakes, and sells said packages, bars, or cakes unbranded. A branch unit of any manufacturer which performs a wholesale function is deemed a wholesaler.

[Above definition amended by Am. 3, effective 6-24-44]

Effective date. This Maximum Price Regulation No. 391 shall become effective on May 24, 1943. [Maximum Price Regulation No. 391 originally issued May 14, 1943.]

[Effective dates of amendments are shown in notes following the parts affected]

NOTE: The record keeping and reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9233; Filed, June 24, 1944; 11:37 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS [RMFR 9-1, Correction]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN THE ISLAND OF OAHU, MAUI, AND HAWAII, TERRITORY OF HAWAII

Section 2 (a) (1) of Restaurant Maximum Price Regulation No. 9-1 is corrected to read as follows:

(1) Your ceiling price for any food item or meal which you offered in the 14 day period beginning Sunday, January 3, 1943, and ending Saturday, January 16, 1943, is the highest price at which you offered the same food item or meal of the same class in that period.

This correction shall become effective as of January 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250; 7 F.R. 7871, E.O. 9328, 8 F.R. 5681; General Order 39, 7 F.R.

10500; Region IX Delegation Order No. 1, 9 F.R. 710)

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9239; Filed, June 24, 1944;
11:37 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[RMFR 183, Corr. to Amdt. 40]

FOOD PRODUCTION IN PUERTO RICO

In Amendment 40 to Revised Maximum Price Regulation 183 "Table 33L" wherever appearing is corrected to read "Table 33m".

This correction shall become effective as of June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9240; Filed, June 24, 1944;
11:38 a. m.]

PART 1421—IRON AND STEEL

[MPR 241, Amdt. 7]

MALLEABLE IRON CASTINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 241 is amended in the following respect:

Section 1421.116 (d) of Maximum Price Regulation No. 241 is amended by striking out the last proviso in said paragraph beginning with the words "And provided further" and by substituting therefor a proviso to read as follows:

And provided further, That if the seller sells, offers to sell or delivers a casting on or after June 30, 1944, at a price not in excess of his maximum price for such casting under this paragraph, he may not thereafter sell, offer to sell or deliver such casting at a price in excess of such maximum price, except that this proviso shall not apply to castings sold or delivered pursuant to orders received or contracts entered into prior to June 30, 1944.

This amendment shall become effective June 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9192; Filed, June 23, 1944;
3:54 p. m.]

*Copies may be obtained from the Office of Price Administration.

Revised: 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1¹ to GMFR, Amdt. 61]

FLOUR

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.*

The first paragraph of section 2.3 (q) is amended to read as follows:

(q) Flour produced from wheat, rye, buckwheat, rice, corn, oats, barley, soybeans, potatoes, cottonseed, peanuts, malted wheat; combinations of flours produced from these commodities; and bleached, bromated, enriched, phosphated and self-rising flours. "Flour produced from wheat" means:

This amendment shall become effective on the 30th day of June 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9234; Filed, June 24, 1944;
11:38 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMFR, Amdt. 146]

ELECTRIC LIGHT BULBS AND TUBES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended in the following respects:

1. A new section 6.51 is added to read as follows:

SEC. 6.51 *Separate statement of the manufacturers' Federal excise tax on electric light bulbs and tubes in the catalogues of persons selling at retail.* Retail sellers who sell electric light bulbs or tubes out of a mail order catalogue must, if they collect the increase in the manufacturers' Federal excise tax on electric light bulbs and tubes imposed by section 302 of the Revenue Act of 1943, separately state the tax by using one of the methods listed below in all catalogues which include prices:

(a) The retailer may state his price as a price exclusive of tax if he indicates the tax in dollars and cents; or

(b) He may state the price inclusive of tax with a notice following the price that the price includes the 20 percent manufacturers' Federal excise tax; or

(c) He may indicate on each page of the catalogue listing electric light bulbs or tubes that the prices include the 20 percent manufacturers' Federal excise tax.

2. A new section 6.52 is added to read as follows:

19 F.R. 3581, 3590, 4391, 4948, 5269, 5936, 6570, 6648.

SEC. 6.52 *Collection of manufacturers' Federal excise tax on electric light bulbs and tubes sold under contracts containing a free replacement guarantee.* This section applies only to persons who sell electric light bulbs or tubes to industrial users under contracts which include a guarantee of free replacement if the bulb or tube is defective or burns out during a specified period of time. Such sellers may collect the increase in the manufacturers' Federal excise tax imposed by section 302 of the Revenue Act of 1943 for all bulbs or tubes delivered under such contracts entered into on and after April 1, 1944, provided the increase in the tax is separately stated and collected.

This amendment shall become effective June 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9236; Filed, June 24, 1944;
11:39 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMFR, Amdt. 147]

TOBACCO CLOTH

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Supplementary Regulation No. 14 is amended in the following respect:

Section 3.16 is added to read as follows:

SEC. 3.16 *Sales of certain tobacco cloth at wholesale.* Wholesalers of 19" x 44 1.30 yd. tobacco cloth manufactured and sold by Fitzgerald Cotton Mills, Fitzgerald, Georgia, as Style No. 440-B may charge a price not in excess of \$0.0774 per square yard subject to the terms of sale required by the General Maximum Price Regulation.

This amendment shall become effective June 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of June 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-9237; Filed, June 24, 1944;
11:39 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMFR 204, Amdt. 4]

SPECIAL SALES OF INDUSTRIAL MATERIALS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

17 F.R. 3676, 12795; 9 F.R. 5376, 6319.

has been filed with the Division of the Federal Register.*

Section 4 of Revised Maximum Price Regulation 204 is amended to read as follows:

SEC. 4. Relation to other regulations. This regulation establishes maximum prices for all special sales of industrial materials except sales covered by Revised Price Schedule 49—Resale of Iron or Steel Products,² Maximum Price Regulation 174—Freight Car Materials Sold by Car Builders,³ Sales covered by Supplementary Order No. 10—Judicial Sales,⁴ Sales covered by Supplementary Order No. 32—Netherlands Purchasing Commission,⁵ Sales covered by Supplementary Order No. 43—Maximum prices for certain sales of certain surplus stocks,⁶ Sales covered by Supplementary Order No. 48—Accommodation Sales of Industrial Materials,⁷ and sales governed by other price regulations which expressly provide that they apply to special sales of industrial materials.

This amendment shall become effective June 23, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9191; Filed, June 23, 1944;
3:54 p. m.]

PART 1499—COMMODITIES AND SERVICES
[SR 15 to GMPR, Order 1]

THE MIAMI MARGARINE CO, CINCINNATI, OHIO

Order No. 1 under § 1499.75 (a) (15) of Supplementary Regulation No. 15 to the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith, it is hereby ordered:

§ 1499.2262 *Adjustment of maximum price for sales of oleomargarine by the Miami Margarine Company of Cincinnati, Ohio.* (a) On and after July 1, 1944, The Miami Margarine Company of Cincinnati, Ohio, may sell and deliver and any person may buy and receive from The Miami Margarine Company its "Nu-Maid" brand margarine at prices not higher than the following:

17 cents per pound delivered.

(1) All price differentials heretofore customarily allowed by applicant on sales to classes of customers, shall continue to apply to the above prices.

(b) With the first deliveries of "Nu-Maid" margarine after the effective date of this order, The Miami Margarine Company, of Cincinnati, Ohio, shall supply

each wholesaler and retailer who purchases from it with the following written notice:

(Insert date)

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for Nu-Maid margarine in one pound packages has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation Nos. 421, 422 or 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier containing this notification after (insert effective date of this order.) You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulation No. 421, 422 or 423, whichever is applicable to you.

For a period of 60 days after the effective date of this Order and with the first shipment after the 60 day period to each person who has not made a purchase within that time, applicant shall include in each case, carton, or other receptacle containing the item, the written notice set forth above, or securely attach it to the outside. However, for sales direct to any retailer, applicant may supply the notice by attaching it to, or stating it on, the invoice covering the shipment instead of providing it with the goods.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 1 shall become effective July 1, 1944.

- | | |
|---|--------------------------------------|
| (1) From The Sweets Company of America, Inc., to wholesalers..... | 68 cents per 24 count box delivered. |
| (2) From wholesalers to retailers..... | 85 cents per 24 count box delivered. |
| (3) From retailers to consumers..... | 5 cents per package. |

(b) The maximum prices to be charged by the indicated sellers below for the indicated sales of "Bulk Tootsie Fudge", (a chocolate or vanilla flavored fudge, weighing approximately 51 pieces to the pound, each piece individually wrapped

in moisture-proof cellophane) manufactured by The Sweets Company of America, Inc., Hoboken, New Jersey, in accordance with its formula contained in its price application dated April 10, 1944 shall be as follows:

- | | |
|---|---------------------------------|
| (1) From The Sweets Company of America, Inc., to wholesalers..... | 18 cents per pound, delivered. |
| (2) From wholesalers to retailers..... | 22½ cents per pound, delivered. |
| (3) From retailers to consumers..... | 35 cents per pound. |

(c) The prices established in this order are the highest prices for which "5¢ Box Tootsie Fudge" and "Bulk Tootsie Fudge" may be sold by the respective sellers. All sellers, on sales of these items shall reduce the above stated maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of "2¢ Tootsie Fudge" or other comparable candy items. In the application of any customary differentials, the specific maximum prices established by this order shall not be exceeded.

(d) The Sweets Company of America, Inc., shall mail or otherwise supply to its purchasers at the time of or prior to the first delivery to such purchaser the following notice, inserting the appropriate name of the item and the price therefor as set forth in the preceding provisions of this order:

The Office of Price Administration has authorized us to sell our _____ to wholesalers at a maximum delivered price of _____ per _____. You are authorized to sell this item to retailers at a maximum delivered price of _____ per _____. On sales of this item all sellers are required to reduce their maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of "2¢ Tootsie Fudge" or other comparable candy items. In the application of any customary differential the specific maximum prices mentioned herein shall not be exceeded.

(e) The Sweets Company of America, Inc., for a period of at least ninety days, shall place in or on the smallest retail packing units the following notice, inserting the appropriate name of the item and the price therefor as set forth in the preceding provisions of this order:

The Office of Price Administration has authorized us to sell our _____ to

*Copies may be obtained from the Office of Price Administration.

² 8 F.R. 4608, 4542, 7257, 7595, 7769, 7909, 9530, 9750, 13653, 13669; 9 F.R. 604, 1054, 3649, 4390, 4944, 5937, 6505.

³ 7 F.R. 5061, 8739, 8948; 8 F.R. 155, 9021.

⁴ 7 F.R. 5481, 10448.

⁵ 7 F.R. 10377.

⁶ 8 F.R. 5173.

⁷ 8 F.R. 6355.

PART 1499—COMMODITIES AND SERVICES

[Order 375 Under 3 (b), Order 41]

THE SWEETS COMPANY OF AMERICA, INC.

Order No. 41 under Order No. 375 of § 1499.3 (b) of the General Maximum Price Regulation, Docket No. N6352-13b-131-7.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered that:

§ 1499.2166 *Authorization of maximum prices governing sales of "5¢ Box Tootsie Fudge" and "Bulk Tootsie Fudge", confectionery items manufactured by The Sweets Company of America, Inc., Hoboken, New Jersey.* (a) The maximum prices to be charged by the indicated sellers below for the indicated sales of "5¢ Box Tootsie Fudge"; (a 1½ ounce net weight fudge package, chocolate or vanilla flavored; each package consisting of 6 fudge pieces individually wrapped in moisture-proof cellophane) manufactured by The Sweets Company of America, Inc., Hoboken, New Jersey, in accordance with its formula contained in its price application dated April 10, 1944 shall be as follows:

wholesalers who in turn are authorized to sell this item to retailers at a maximum delivered price not in excess of ----- per ----- Retailers are authorized to sell this item at a maximum price not in excess of ----- per ----- On sales of this item all sellers are required to reduce their maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of "2¢ Tootsie Fudge" or other comparable candy items. In the application of any customary differential the specific maximum price mentioned herein shall not be exceeded.

(f) This order may be revoked or amended at any time by the Price Administrator.

(g) This Order No. 41 shall become effective June 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9232; Filed, June 24, 1944;
11:37 a. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS
[MPR 538]

COMMERCIAL VENEER

Correction

In F.R. Doc. 44-8531, appearing at page 6530 of the issue for Wednesday, June 14, 1944, the following footnotes should appear at the bottom of table 2:

¹ And thinner.

NOTE: The maximum price for fractional part pieces shall be the price for 6" to 26" widths of the same length established in this table.

NOTE: The maximum price for door stock which is 5" wide shall be the price for 6" to 26" widths of the same length established in this table.

In Table 12A the last price under the first column headed "44 1/4 to 50" should be "37.70".

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 200,¹ Amdt. 14]

RUBBER HEELS, RUBBER HEELS ATTACHED, AND ATTACHING OF RUBBER HEELS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1315.1405 (a) (1) (ii) is amended by adding directly after the words "No Jar Super 50—Cupples Company", the following: "O'Sullivan's—O'Sullivan Rubber Company."

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 1461, 4917, 6842, 8843, 9135, 10980, 11687; 9 F.R. 5903.

This amendment shall become effective July 1, 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8304; Filed, June 26, 1944;
11:42 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 484, Amdt. 2]

UNWASHED AND WASHED WIPING CLOTHS

Correction

In F. R. Doc. 44-7808, appearing at page 5916 of the issue for Wednesday, May 31, 1944, in the table appearing under paragraph 4, the dollar signs should be deleted before the figures "4.50" and "16.75".

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMFR 130,¹ Amdt. 8]

NEWSPRINT PAPER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 130 is amended in the following respects:

1. Section 1347.283 (c) (2) is amended to read as follows:

(2) *Lightweight newsprint paper—(i) Price differential for newsprint paper ordered and made in 30 pound weight.* There may be added to the maximum price hereinabove established for 32 pound standard newsprint paper a price differential not in excess of \$4.00 per ton for newsprint paper ordered and made in a weight of 30 pounds for 500 sheets 24 x 36 inches: *Provided, however,* That with respect to newsprint paper manufactured outside the continental United States such differential for 30 pound newsprint paper shall be effective only during the period commencing May 1, 1944 to July 31, 1944.

(ii) *Price differential for newsprint paper ordered and made in weights less than 30 pounds.* Any manufacturer who shall deliver or offer to deliver newsprint paper ordered and made in a weight less than 30 pounds for 500 sheets 24 x 36 inches may add to the maximum price hereinabove established for 32 pound standard newsprint paper, the differential customarily applied by him during the period October 1, 1941 through March 31, 1942 upon sales of the same weight of newsprint paper ordered and made in a weight lighter than 30 pounds. If the manufacturer had no such differential in effect during that period he shall apply to the Office of Price Admin-

¹ 7 F.R. 9251, 10255; 8 F.R. 1589, 2670, 7760, 11382, 16918; 9 F.R. 3589, 4540.

istration, Washington, D. C., for the establishment of a price differential to be added by him to the maximum price for 32 pound standard newsprint paper. Such differential shall be established by order upon receipt of an application from the manufacturer setting forth the following information:

(a) The manufacturer's total cost per ton for 32 pound standard newsprint;

(b) The manufacturer's total cost per ton for the particular weight of newsprint paper for which a differential is sought. All of such cost information shall cover the same accounting period.

(iii) All of the other provisions of this regulation relating to standard newsprint paper are hereby made applicable to the purchase, sale and delivery of lightweight newsprint paper.

This amendment shall become effective July 1, 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8305; Filed, June 26, 1944;
11:42 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136,¹ Amdt. 120]

MACHINES AND PARTS, AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 136, as amended, is amended in the following respects:

1. In paragraph (c) of Appendix B the following item is added in alphabetical order:

Bearings and bushings, ferrous and non-ferrous metal (except pipe and tube bushings subject to Maximum Price Regulation 183; those covered by Appendix A of this regulation; and those for which maximum prices are established by Revised Price Schedule 41, Revised Maximum Price Regulation 125, or Maximum Price Regulations 241 or 244).

2. In Appendix C the item "Castings, ferrous and non-ferrous, as sold by the foundry, whether rough or machined" is amended to read:

Castings, ferrous and non-ferrous (including bearings and bushings), the maximum prices of which are established by Revised Price Schedule 41, Revised Maximum Price Regulation 125, or Maximum Price Regulations 241 or 244.

3. In appendix C the item "Non-ferrous bearings and bushings" is revoked. This amendment shall become effective July 1, 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-8306; Filed, June 26, 1944;
11:42 a. m.]

¹ 9 F.R. 4748, 6220, 6239.

PART 1404—RATIONING OF FOOTWEAR

[RO 17; Amdt. 65]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. The title of section 1.14 is amended to read as follows: "*Members of Armed Services and of Maritime Service, and civilians required to wear regulation army uniform overseas, may acquire shoes.*"

2. Section 1.14 (a) is amended by adding the following: "Any person with a civilian status who is given an overseas assignment in work supervised by the United States Government and who is required to wear a regulation army uniform may acquire Government Issue shoes from a Quartermaster Sales Store of the United States Army, without surrendering ration currency, on presentation of his official government travel orders."

This amendment shall become effective June 30, 1944.

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9307; Filed, June 26, 1944;
11:43 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3; Amdt. 26]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.87b is amended to read as follows:

§ 1407.87b *Sugar for feeding bees.* (a) A person who needs sugar for feeding his bees may get sugar for that purpose under § 1407.163a or § 1407.163b.

(b) Notwithstanding anything to the contrary contained in this Order, the use of sugar for feeding bees is not deemed an industrial use of sugar even if the honey produced by such bees is sold or transferred.

(c) The registration of any person who is registered as an industrial user on OPA Form R-1200 solely for the purpose of obtaining a provisional allowance for feeding bees shall be deemed cancelled on June 30, 1944.

*Copies may be obtained from the Office of Price Administration.

18 F.R. 15839, 16605, 16996; 9 F.R. 92, 573, 764, 2232, 2656, 2947, 2829, 3340, 3944, 4391, 5254.

9 F.R. 1433, 1534, 2233, 2826, 2828, 3031, 3513, 3579, 3847, 3944, 4099, 4350, 4474, 4880, 5220, 5264, 5220, 5166, 5426, 5346.

2. Section 1407.88 (d) is amended by deleting from the first sentence the words "for feeding bees or" and by deleting from the second sentence the parenthetical statement "(and the number of bee colonies fed by weeks)".

3. Section 1407.163a is added to read as follows:

§ 1407.163a *Sugar for feeding bees.*

(a) A person who needs sugar for feeding his bees may get sugar for that purpose in an amount not to exceed ten pounds per calendar year for each colony of bees. (Each newly installed package of bees and each queen mating nucleus shall be considered a full colony.)

(b) Application for all or part of this sugar allowance may be made at any time during a calendar year. It must be made on OPA Form R-315 to the Board for the place where the applicant lives, (or, if the application is made in the course of his business, to the Board for the place where his principal business office is located) and must state:

(1) The amount of sugar needed;

(2) The number of colonies of bees for which the sugar is needed;

(3) The amount of sugar, if any, which the applicant has previously obtained for feeding bees during the calendar year for which application is made.

(c) When an applicant makes his first application during a calendar year for sugar under this section, he shall include with such application a report showing:

(1) The total amount of sugar which he obtained for feeding bees during the previous calendar year; and

(2) The total amount of sugar which he used to feed his bees during the previous calendar year.

(d) On the first application during a calendar year for sugar under this section, the Board shall issue a certificate in the amount requested. However, that amount must not exceed ten pounds for each colony minus:

(1) The amount of sugar, if any, which the applicant obtained during the previous calendar year for feeding bees but did not use for that purpose (reported under paragraph (c));

(2) The amount of any advances obtained by him during 1942 on future provisional allowances for feeding bees which he has not deducted from such future allowances; and

(3) On an application filed during 1944, the amount of any sugar previously obtained during 1944 for feeding bees.

(e) If an applicant does not on his first application during a calendar year receive certificates for the full amount permitted under paragraph (d), he may make one or more later applications for an additional amount up to the total amount permitted by paragraph (a).

4. Section 1407.163b is added to read as follows:

§ 1407.163b *Additional sugar to prevent loss of bees.* (a) A person who during any calendar year has obtained the full amount of sugar for feeding bees that he is permitted to get under § 1407.163a may, during that calendar

year, get an additional amount of sugar for that purpose if additional sugar is necessary to prevent the loss of his bees. Application for the additional sugar must be made to the Board on OPA Form R-315 and must state:

(1) The amount of the additional sugar needed;

(2) The number of colonies of bees for which the additional sugar is needed;

(3) That the applicant has used the full amount of sugar for feeding bees that he is permitted to get under § 1407.163a;

(4) That the additional sugar applied for is necessary to prevent the loss of the applicant's bees.

The application must also contain the certification of the local United States Department of Agriculture War Board that the additional sugar applied for is necessary to prevent the loss of the applicant's bees. If the Board finds that the facts stated in the application are true, it will grant the application. The additional sugar granted to any person under this section must not exceed 15 pounds for each colony of bees during any calendar year.

5. Section 1407.241 is amended by deleting Table VI.

This amendment shall become effective June 30, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9308; Filed, June 26, 1944;
11:43 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13; Amdt. 41]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended by adding section 14.8 to read as follows:

Sec. 14.8 *Replacement of lost, destroyed, stolen or mutilated certificates, coupons, stamps, or tokens*—(a) *Torn or mutilated certificates, coupons, stamps, or tokens.* A certificate that is torn or mutilated shall be valid only if more than one-half thereof remains legible and the remaining portion clearly shows the date of the certificate, its point value and the name of the person to whom it was issued. A coupon that is torn or mutilated shall be valid only if more than one-half

thereof remains legible and the remaining portion clearly shows its point value. A stamp that has been torn or mutilated is valid only if more than one-half thereof remains legible and clearly shows its identifying letter and number. Such a stamp is valid in the hands of a consumer only if it remains undetached in his War Ration Book. A token that has been broken or mutilated is valid only if more than one-half remains thereof and that portion retains sufficient lettering to identify it as having been a ration token.

(b) *Lost, destroyed or stolen certificates, coupons, stamps, or tokens.* (1) If a certificate, coupon, stamp, or token held by a person other than a consumer is lost, destroyed or stolen, the person entitled to such token, stamp, coupon, or certificate may apply for a new coupon or certificate to replace it. The application shall be made by such person or his authorized agent upon OPA Form R-315 to the board with which he is registered (or to the district or Washington Office, if he is registered there). If the board or the Washington Office finds that the certificate, stamp, token, or coupon was lost, destroyed or stolen, it shall issue a coupon or certificate equal in point value to the stamp, certificate, token, or coupon which was lost, destroyed or stolen.

(2) If a certificate or coupon held by a consumer is lost, destroyed or stolen, the consumer may apply for a certificate or coupon to replace it. (A consumer may not apply to replace stamps or tokens which have been lost, destroyed or stolen. However, a consumer may apply in accordance with Procedural Regulation No. 12 to replace a War Ration Book which has been mutilated, destroyed, lost or stolen.) The application shall be made to the board for the place where he lives upon OPA Form R-315 by the consumer personally or by an adult member of his family unit, or by an authorized agent. If the board finds that the certificate or coupon was lost, destroyed or stolen, it shall issue a coupon or certificate equal in point value to the certificate or coupon which was lost, destroyed or stolen.

(3) If any person who has received a replacement for lost or stolen certificates, coupons, tokens, or stamps recovers any or all of the lost or stolen certificates, coupons, tokens, or stamps, he must return them to the board or district office from which he received the replacement, or to the Washington Office if he received the replacement from there.

This amendment shall become effective June 30, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 39, 421, 507, and 729, 77th

*Copies may be obtained from the Office of Price Administration.

¹⁹ F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3073, 3513, 3579, 3708, 3710, 3947, 3944, 4023, 4351, 4475, 4604, 4818, 4876, 4881, 5254, 5074, 5436, 5695.

Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005, and Food Dir. 5, 8 F.R. 2251)

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9309; Filed, June 26, 1944;
11:44 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13, Amdt. 42]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 15.11 is added to Article XV to read as follows:

Sec. 15.11 *Tokens which may not be used must be surrendered.* (a) A person who has any tokens which he acquired in a way not provided for by this or any other order of the Office of Price Administration must not use them for any purpose but must surrender them to

This amendment shall become effective June 30, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 39, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9300; Filed, June 26, 1944;
11:44 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 1]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and a board.

has been filed with the Division of the Federal Register.*

Revised Ration Order 16 is amended in the following respects:

1. Section 4.11 (b) (1) is amended by adding the following to the end of the paragraph: "A primary distributor who reports on Dairy Products Report No. 1 must mail that report within ten days after the end of each calendar month."

2. The first sentence of section 4.11 (c) (2) is amended by inserting the words "and Dairy Products Report No. 1" between the words "OPA Form R-1626" and "for reporting periods".

¹⁹ F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3073, 3513, 3579, 3708, 3710, 3947, 3944, 4026, 4351, 4475, 4604, 4818, 4876, 5074.

3. The second sentence of section 4.11 (c) (4) is deleted and the following substituted therefore:

If he is required to report on OPA Form R-1606 (Revised) for an establishment from which he sells or transfers rationed dairy products, he must also report on Dairy Products Report No. 1. He must attach to his report on OPA Form R-1606, (Revised) for each reporting period ending after February 29, 1944, a copy of Dairy Products Report No. 1 covering his operations at that establishment. However, a primary distributor is not required to report on Dairy Products Report No. 1 for an establishment of the type described in section 4.6 or 4.7 if he does not produce, process or import rationed dairy products there.

4. Section 4.11 (f) is amended by inserting the following sentence between the first and second sentences: "If he reports on OPA Form R-1606 (Revised) and Dairy Products Report No. 1, he must mail his Dairy Products Report No. 1 to Post Office Box 6910-A, Chicago, Illinois, and attach a copy of that report to his report on OPA Form R-1606 (Revised)."

This amendment shall become effective June 30, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 39, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9303; Filed, June 26, 1944;
11:45 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 2]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 15.9 is added to read as follows:

SEC. 15.9 *Replacement of lost, destroyed, stolen, or mutilated certificates, coupons, stamps, or tokens.* (a) *Torn or mutilated certificates, coupons, stamps, or tokens.* A certificate that is torn or mutilated shall be valid only if more than one-half thereof remains legible and the remaining portion clearly shows the date of the certificate, its point value

and the name of the person to whom it was issued. A coupon that is torn or mutilated shall be valid only if more than one-half thereof remains legible and the remaining portion clearly shows its point value. A stamp that has been torn or mutilated is valid only if more than one-half thereof remains legible and clearly shows its identifying letter and number. Such a stamp is valid in the hands of a consumer only if it remains undetached in his War Ration Book. A token that has been broken or mutilated is valid only if more than one-half remains thereof and that portion retains sufficient lettering to identify it as having been a ration token.

(b) *Lost, destroyed or stolen certificates, coupons, stamps, or tokens.* (1) If a certificate, coupon, stamp, or token held by a person other than a consumer is lost, destroyed or stolen, the person entitled to such token, stamp, coupon, or certificate may apply for a new coupon or certificate to replace it. The application shall be made by such person or his authorized agent upon OPA Form R-315 to the board with which he is registered (or to the district office, if he is registered there). If the board or district office finds that the certificate, stamp, token, or coupon was lost, destroyed or stolen, it shall issue a coupon or certificate equal in point value to the stamp, certificate, token, or coupon which was lost, destroyed, or stolen.

(2) If a certificate or coupon held by a consumer is lost, destroyed or stolen, the consumer may apply for a certificate or coupon to replace it. (A consumer may not apply to replace stamps or tokens which have been lost, destroyed or stolen. However, a consumer may apply in accordance with Procedural Regulation No. 12 to replace a War Ration Book which has been mutilated, destroyed, lost or stolen.) The application shall be made to the board for the place where he lives upon OPA Form R-315 by the consumer personally or by an adult member of his family unit, or by an authorized agent. If the board finds that the certificate or coupon was lost, destroyed or stolen, it shall issue a coupon or certificate equal in point value to the certificate or coupon which was lost, destroyed or stolen.

(3) If any person who has received a replacement for lost or stolen certificates, coupons, tokens, or stamps, recovers any or all of the lost, or stolen certificates, coupons, tokens, or stamps, he must return them to the board or district office from which he received the replacement.

This amendment shall become effective June 30, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234;

War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 9, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9239; Filed, June 26, 1944;
11:44 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 3]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 16 is amended in the following respects:

1. The definition of "household salvage fats" in section 27.1 (a) is amended to read as follows:

"Household salvage fats" means any fat produced (or salvaged from other fat) by a consumer or a Group I institutional user in preparing or cooking food while that fat is in the original container in which the consumer or Group I institutional user placed it for transfer.

2. Section 26.8a is added to read as follows:

SEC. 26.8a *Certain persons may register as master collectors*—(a) *General.* A person who removes household salvage fats from their original containers and mixes them with other fats to produce hard grease or tallow for sale or transfer and who carried on those operations before June 30, 1944 may register his establishment as a master collector establishment. A person who has registered his establishment as a master collector establishment is a master collector with respect to that establishment.

(b) *Registration.* His registration must be filed on OPA Form R-315 in duplicate with the regional office for the place where his establishment is located. (Regional offices may authorize this registration to be made at district offices instead.) If he has more than one master collector establishment, he may register them together or separately. If he registers them together, he must register all on a single registration form and file that form with the regional office (or authorized district office) for the place where his principal business office is located. If he registers each of them separately, he must file a separate registration form for each establishment with the regional office (or authorized district office) for the place where that establishment is located. Each separately registered establishment is to be treated and operated separately for all the purposes of this order, just as if the establishments were owned by different persons. His registration must show:

*Copies may be obtained from the Office of Price Administration.

(1) That he acquires household salvage fats which he removes from the original containers in which they were placed by consumers or Group I institutional users and mixes with other fats to produce hard grease or tallow for sale or transfer and that he engaged in those operations before June 30, 1944;

(2) The number of pounds of household salvage fats he acquired each month beginning with January 1944;

(3) The number of pounds of household salvage fats he has on hand;

(4) The number of points he owes for household salvage fats he acquired;

(5) The number of points owed to him for salvage fats he transferred; and

(6) The number of points he has on hand and in his ration bank account, if any.

(c) *A registered master collector may get allotments and must make reports.* If a person registers as a master collector under this section, he is entitled to receive allotments under Section 26.3, in the same way as a renderer. The number of points owed to him for salvage fats he transferred and the number of points he has on hand and in his ration bank account at the time he registers as a master collector shall be deducted from the amount of any certificate issued to him when he registers. However, if he owes points for salvage fats acquired by him, the amount of the certificate issued shall be increased by the number of points he owes. He must also make the reports, keep the records and open the ration bank accounts referred to in sections 26.4, 26.5 and 26.9 (a), in the same way as a renderer. He must file the reports at the office with which he is registered.

3. Section 26.11 (b) (3) (ii) is amended by adding at the end thereof the following:

However, if he acquired less than 100 pounds from a person during an entire month, he may issue to that person a household salvage fats ration check for the number of points due.

4. The last sentence of section 26.3 (c) is amended by substituting the words "on hand and in his ration bank account" for the words "remaining from prior allotments for household salvage fats".

This amendment shall become effective June 30, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 26th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9302; Filed, June 26, 1944;
11:45 a. m.]

* 8 F.R. 16834, 16839, 17372.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard; Department of the Navy

PART 10—AIR RAID AND BLACKOUT REGULATIONS FOR VESSELS, HARBORS, PORTS, AND WATERFRONT FACILITIES

WESTERN DEFENSE COMMANDS, WASHINGTON, OREGON AND CALIFORNIA

Pursuant to Executive Order No. 9074 (7 F.R. 1587) and in accordance with the provisions of Public Law 127, 78th Congress, approved July 9, 1943, there are hereby promulgated the following air raid and blackout regulations for the protection and security of vessels, harbors, ports, and waterfront facilities.

- Sec.
10.21 Effective date.
10.22 Area in which regulations apply.
10.23 Responsibility for execution of regulations.
10.24 Air raid warning signal.
10.25 Duties on red signal.
10.26 General rules for all vessels.
10.27 Special rules for vessels under way.
10.28 Special rules for vessels at anchor.
10.29 Special rules for vessels moored to piers or docks.
10.30 General rules for piers and docks.
10.31 Rules for piers and docks on red signal.
10.32 Penalty for violation of regulations.

AUTHORITY: §§ 10.21 to 10.32, inclusive, issued under E.O. 9074, 7 F.R. 1587; Pub. Law 127, 78th Cong.

§ 10.21 *Effective date.* The regulations contained in §§ 10.21 to 10.32, inclusive, of this part shall be effective 30 days after their publication in the FEDERAL REGISTER.

§ 10.22 *Area in which regulations apply.* The regulations contained in §§ 10.21 to 10.32, inclusive, of this part shall apply to all vessels, harbors, ports, and waterfront facilities, including those located on the inland navigable waters of the United States as well as those on the sea coasts, located within that portion of the Western Defense Command within the States of Washington, Oregon and California.

§ 10.23 *Responsibility for execution of regulations.* The responsibility for the execution of the regulations contained in §§ 10.21 to 10.32, inclusive, of this part shall rest upon the master or senior officer present on board a vessel, and the operator of a waterfront facility. During the time an air raid warning alarm is in effect, the master or senior officer present on board a vessel shall comply immediately with all special instructions or orders issued by officers of the Army, Navy, or Coast Guard.

§ 10.24 *Air raid signals.* The air raid warning signals and the all clear signals shall be the signals prescribed by the responsible authorities of the States of Washington, Oregon, and California, and issued to civilian defense warning centers by the IV Fighter Command and such modifications as may hereafter be prescribed by the responsible authorities of the said States. The signals at this time are as follows:

(a) Yellow and blue warnings. The "yellow" warning and the "blue" warning are confidential preliminary caution warnings issued to civilian district warning centers by the IV Fighter Command. The yellow warning indicates the possibility of enemy attack in a specified area. The blue warning indicates the probability of enemy attack in a specified area. No public notice or alarm shall be given in respect to either the yellow or blue warnings, but these warnings shall be transmitted by civilian defense authorities to such persons as they deem necessary to insure proper preparation and precautions for defense.

(b) Air raid (red) warning shall mean a public notice or signal, conforming with the law applicable to the particular locality, requiring compliance with regulations governing precautions against possible enemy attack, either actual or assumed, within a specified area. Said public notice or signal shall be an audible signal of approximately two minutes duration, made by siren, whistle, horn or other audible device, consisting of a fluctuating or warbling sound of varying pitch or a succession of intermittent blasts of approximately five seconds duration separated by a succession of silent periods of approximately three seconds duration, arranged (so far as practicable) so as to be audible within all parts of the area of air raid alarm; but in any area where it is impracticable to use the form of signal specified herein, a different form of signal may be used in such areas and in such form as may be specified and permitted by or under the authority of the Governor (or the State Director of Civilian Defense of the State Defense Council).

(c) All clear signal shall mean a public notice or signal, conforming with the law applicable to the particular locality, indicating the termination of the requirement of compliance with regulations governing precautions against possible enemy attack, either actual or assumed, within a specified area. Said notice or signal shall be a continuous audible signal of approximately two minutes duration at a steady pitch, made by siren, whistle, horn or other audible device, arranged (so far as practicable) so as to be audible within all parts of the area to be affected thereby; but in any area where it is impracticable to use the form of signal specified herein, a different form of signal may be used in such areas and in such form as may be specified and permitted by or under the authority of the Governor (or the State Director of Civilian Defense of the State Defense Council).

§ 10.25 *Duties on red signal.* Except as otherwise specifically provided, the following regulations contained in §§ 10.26 to 10.32, inclusive, shall be observed upon the sounding of the air raid (red) signal and at all times that the air raid (red) signal is in effect.

§ 10.26 *General rules for all vessels.* Upon the sounding of the air raid (red) signal all vessels, whether under way, anchored, or moored, shall comply with

Rules 1 to 14, inclusive, and all vessels in dry-dock shall comply with Rule 15, all as follows:

Rule 1. All bulkheads, watertight doors, ports, and side ports shall be secured to insure the watertight integrity of the vessel.

Rule 2. All vessels shall immediately blackout ship, except for navigation lights if underway and anchor lights if anchored. Anchor lights shall be shielded in such manner as to cut off the light at an angle not to exceed 15° above the horizontal. Navigation lights shall be dimmed so as to reduce visibility during air raids and blackouts to the minimum commensurate with safe operation, but not less than one mile.

Rule 3. Smoking, striking matches, using lighters, or otherwise showing unshielded lights shall not be permitted.

Rule 4. All possible precautions shall be taken to prevent smoke or exhaust vapor from being observed from above.

Rule 5. Crew members shall take predetermined posts. Fire stations shall be manned, hoses stretched, fire extinguishers and sand made available for immediate use and suitable personnel stationed at all fire protection points.

Rule 6. A sufficient number of crew members shall be on board to handle fire fighting equipment and to move the vessel if this becomes necessary.

Rule 7. The crew, passengers, and any shore personnel on board the vessel shall be warned, by the sounding of the general alarm, or in other appropriate manner.

Rule 8. Life-boats shall be rigged over-side, and all persons aboard shall don life-belts and refrain from unnecessarily moving about the ship. This rule shall not apply to ferry boats or tugs, but on such vessels every reasonable precaution shall be taken.

Rule 9. No vessel shall anchor in any position which may obstruct the channel or any aids to navigation. Wherever possible, channels and fairways shall be kept clear of anchored vessels.

Rule 10. Wherever possible, vessels shall anchor at a distance of not less than 100 yards from the nearest vessel. Effort shall be made to avoid congestion at any anchorage. Sufficient space must be allowed to permit each vessel to swing free and clear from other anchored vessels with changes in the tide.

Rule 11. Except in cases of emergency, or where specially authorized to do so by Army, Navy, or Coast Guard Officers, no vessel shall get under way until the all clear (white) signal has been sounded.

Rule 12. Any vessel which requires immediate assistance because of air raid damage shall use the following signals:

By day. (a) International code signal "NC."

(b) Five short blasts of the ship's whistle at 30 second intervals: The ship's siren shall not be used.

By night. (a) International code signal "MC" by Morse lights.

(b) Five short blasts of the ship's whistle at 30 second intervals: The ship's siren shall not be used.

Rule 13. Vessels permitted to proceed shall do so at a reasonable speed, keeping closely to the right of the channel and maintaining a good lookout to insure against colliding with unlighted vessels. Whistles and other sound signals shall not be given unless necessary in cases of emergency to avoid collision.

Rule 14. The anti-aircraft gun crew shall be ready to go into action as directed by military authorities.

Rule 15. Vessels in dry-dock shall blackout completely, and all fire stations thereon shall be manned.

§ 10.27 *Special rules for vessels under way.* Upon the sounding of air raid (red) signal, vessels under way shall comply with the following Rules 16 to 24, inclusive:

Rule 16. Vessels proceeding in the channel shall swing to the right, stop, and come to anchor, if this is feasible. If possible, vessels shall anchor clear of the channel and clear of all aids to navigation.

Rule 17. Vessels proceeding in bays, sounds, or lakes shall stop and come to anchor to the right of the course the vessel was steering. If possible, vessels shall anchor clear of any moored vessels and all aids to navigation. If anchoring is not feasible, such vessels shall reduce speed in order to prevent a lengthy discernible wake being observed by attacking planes, and shall steer a zig-zag course if possible.

Rule 18. Vessels proceeding in a river or harbor in which anchoring is not feasible shall moor to the bank or to the nearest wharf. If such mooring is not feasible, they shall continue on their course at reduced speed.

Rule 19. In lieu of observing Rules 16, 17, or 18, ferryboats may proceed to their nearest slip at reduced speed if the same can be reached within 15 minutes.

Rule 20. In lieu of observing Rules 16, 17, or 18, tugs without tows shall proceed to the nearest suitable berth or may tie up to any anchored vessel or to any wharf, pier, or dock proceeding always to the right of the channel or their course, if feasible.

Rule 21. In lieu of observing Rules 16, 17, or 18, tugs with tows shall come to anchor to the right of and outside the channel or fairway is feasible. If anchoring is not feasible, such tugs and tows shall proceed at steering speed until such time as they reach a position which will permit them to anchor.

Rule 22. Vessels of all types approaching the entrance to harbors, bays, sounds, and lakes during the time an air raid (red) signal is in effect shall maneuver clear of such entrance and proceed in a direction away from the channel.

Rule 23. In addition to the requirements of Rule 2, the visibility of navigation lights shall be reduced to insure their not being seen horizontally from a distance of over one mile.

Rule 24. While blacked out no vessel shall overtake or pass any other vessel proceeding in the same direction, except in an emergency.

§ 10.28 *Special rules for vessels at anchor.* Upon the sounding of the air raid (red) signal, vessels at anchor shall comply with the following Rules 25 to 27, inclusive:

Rule 25. Anchored vessels shall immediately blackout as provided by Rule 3, except that dimmed and shielded anchor lights shall be maintained.

Rule 26. All loading or discharging activities shall cease immediately. Longshoremen working on a lighter at such vessel shall board the vessel.

Rule 27. Sufficient steam shall be maintained to enable the ship to be moved whenever necessary. Steam shall also be maintained for the operation of windlass, steering engine, and steam fire smothering lines.

§ 10.29 *Special rules for vessels moored to piers or docks.* Upon the sounding of the air raid (red) signal, vessels moored to piers or docks shall comply with the following Rules 28 to 33, inclusive:

Rule 28. All cargo handling shall cease. Vessels moored to piers or docks shall be made fast in such manner that mooring lines may quickly let go, if necessary.

Rule 29. Sufficient steam shall be maintained in the boilers to maneuver the vessel

as required. If steam cannot be maintained, lines of sufficient strength shall be stretched to the shore and to the outer end of the wharf so that the vessel may be warped from her berth if required. If steam is not required for immediate use, dock and steam lines shall be closed with the exception of windlass, capstans, steering engine, and steam fire smothering lines.

Rule 30. The ship's officers and crew aboard shall cooperate with the air raid warden organizations on the pier or dock.

Rule 31. The hatch foreman shall:

(a) Arrange to cover open hatches after directing all men below decks to leave the hold to proceed to the head of the pier or dock, and shall with the assistance of the dockman, check the evacuation of these men.

(b) Notify the head foreman or assistant foreman of the evacuation of his men.

(c) See that accessibility to hatch ladders is maintained; when ladders are blocked off by cargo, two approved type portable ladders shall be provided.

Rule 32. The dockman, with the assistance of the hatch foreman, shall see that any cargo already lifted is landed; that the apron is clear; and that the winch levers are in neutral with power turned off.

Rule 33. The head foreman or assistant foreman shall station himself at the head of a gangplank or other predetermined post and see that all longshoremen are checked off, and shall as quickly as possible notify the ship's officer on watch of such evacuation.

§ 10.30 *General rules for piers and docks.* Operators of piers and docks shall comply immediately with the following Rules 34 to 36, inclusive:

Rule 34. All operators of piers and docks shall appoint a chief air raid warden for each pier or dock, or group of piers and docks, who shall be a person employed thereon in a supervisory capacity. The chief air raid warden of the pier or dock and other persons regularly employed on a pier or dock shall be designated to act as air raid wardens by the operator and shall be trained pursuant to the procedure used by civilian defense authorities within their local area. These air raid warden organizations shall cooperate and coordinate their activities with the air raid warden organizations of such longshoremen groups as may be employed on the pier or dock as well as with any local air raid warden organizations, and shall act in cooperation with and under the direction of the local air raid warden service. Air raid wardens may become members of the United States Citizens Defense Corps.

Rule 35. The chief air raid warden of the pier or dock shall (a) Assign specific duties and posts to each person acting as an air raid warden on the pier or dock.

(b) Hold drills at reasonable intervals.

(c) See that windows, skylights, doorways, and openings are provided with blackout material that will completely prevent any light from showing outside the pier or dock.

(d) Arrange the location of equipment upon the facility in such manner as will permit fire apparatus to enter freely if required.

(e) Communicate with the Captain of the Port to arrange the mooring of vessels in such manner as will permit floating fire fighting equipment to have access thereto if required.

Rule 36. The head foreman or assistant head foreman of the longshoremen on a pier or dock shall be the chief air raid warden of his personnel, shall be trained as an air raid warden, and shall in turn be responsible for the training of his longshoremen as air raid wardens. Such longshoremen air raid organizations shall cooperate with and coordinate their activities with the pier or dock organizations and local organizations.

§ 10.31 *Rules for piers and docks on red signal.* The following Rules 37 to 39,

inclusive, shall be complied with at all piers and docks immediately upon the sounding of the air raid (red) signal:

Rule 37. (a) Air raid wardens and the full force of guards on the pier or dock shall immediately take up their predetermined posts covering the roof, sides, entrances and exits to the pier or dock.

(b) Drivers of vehicles on the pier or dock and their helpers shall assemble with the air raid wardens for such assignment as may be deemed advisable.

(c) The pier or dock shall be blacked out, after notifying the master or senior officer of any vessel moored thereat, and the contracting stevedores. (Upon the blue signal, notice should be given of intention to black-out.)

(d) It shall be the duty of the chief air raid warden for the pier or dock to supervise compliance with the foregoing provisions of this rule and to report any noncompliance to the operator of the pier or dock.

Rule 38. (a) All persons on the pier or dock not specifically assigned to duty shall proceed at once to designated shelter areas.

(b) Aisle space and accessibility to all fire extinguishing equipment and fire apparatus shall be maintained.

(c) It shall be the duty of air raid wardens to supervise compliance with the foregoing provisions of this rule and to report violations to the chief air raid warden. They shall also:

(d) Give warnings when lights are showing.

(e) Use their flashlights only in accordance with prevailing blackout regulations.

(f) Report falling bombs, fires, and presence of gas to predetermined control centers.

Rule 39. (a) All stevedoring gear shall be removed from the apron, center aisle, and side aisle; and all doors (except those opposite the gangplank) shall be closed.

(b) Longshoremen handling cargo on the pier or dock shall assemble immediately for such assignment as may be deemed advisable by the chief air raid warden.

(c) The chief air raid warden of the longshoremen shall make a check-up of his men at the head of the pier or dock.

(d) Tractor and other vehicle drivers shall pull their loads and stevedoring equipment to the side aisles, or to the head of the pier or dock, turn off their motors and lights, and assist the air raid wardens in such manner as is deemed advisable by the chief air raid warden.

(e) It shall be the duty of the chief air raid warden of the longshoremen group to supervise compliance with the foregoing provisions of this rule and to report violations to the chief air raid warden of the facility.

§ 10.32 *Penalty for violation of regulations.* Whoever willfully shall violate any of the provisions of the regulations contained in §§ 10.21 to 10.31 of this part shall be guilty of a misdemeanor and upon conviction thereof shall be liable to a fine of not to exceed \$5000 or to imprisonment for not more than one year, or both, in accordance with the provisions of Public Law 127, 78th Congress, approved July 9, 1943.

Dated: June 23, 1944.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard,
Commandant.

Approved:
JAMES FORRESTAL,
Secretary of the Navy.

[F. R. Doc. 44-9266; Filed, June 26, 1944;
10:12 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 17—FINANCE

DISPOSITION OF VETERAN'S PERSONAL EFFECTS AND FUNDS ON STATION UPON DEATH, OR DISCHARGE, OR UNAUTHORIZED ABSENCE AND OF EFFECTS AND FUNDS FOUND ON STATION

§ 17.4803 *Survey and inventory upon death or absence without leave.* (a) Immediately upon the death or the absence without leave of any beneficiary in a facility, as defined in § 17.4800 (b) a survey and inventory of the funds and effects of such beneficiary will be taken in the following manner:

(1) If the death or absence without leave occurred during hospitalization, a complete, careful survey and inventory (Form 2687, Inventory Report of Personally-owned Effects of Beneficiary) will be made by the physician in charge of ward, officer of the day, senior head attendant, or attendant in charge on ward, and the supply officer, deputy supply officer, clothing storekeeper or general storekeeper of all the personal effects (including those in the custody of the supply officer, jewelry being worn by the deceased person, or jewelry and other effects in pockets of clothing he may have been wearing), and all funds found and moneys on deposit in "Personal Funds of Patients."

(2) If the death or absence without leave occurred while the beneficiary was assigned to barracks, or while receiving hospitalization and at time of death or absence without leave any effects are in the barracks, a like survey and inventory will be made by the domiciliary officer, assistant domiciliary officer, company commander or company sergeant and the supply officer, deputy supply officer, clothing storekeeper or general storekeeper. (June 27, 1944.) (48 Stat. 9; 38 U. S. C. 707)

No change in paragraphs (a) (3), (4), (5), (6) or (b).

[SEAL]

FRANK T. HINES,
Administrator.[F. R. Doc. 44-9295; Filed, June 26, 1944;
11:18 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—United States Public Health Service, Federal Security Agency

PART 28—PAYMENTS TO PROVIDE TRAINING FOR NURSES

REQUIREMENTS FOR PARTICIPATION IN POST-GRADUATE PROGRAM

Pursuant to the authority contained in Public Law 74, 78th Congress, approved June 15, 1943, as amended by Public Law 248, 78th Congress, approved March 4, 1944, providing for the training of nurses for the armed forces, governmental and civilian hospitals, health

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agencies and war industries, through grants to institutions providing such training, and for other purposes, and after conference with the Advisory Committee appointed by the Federal Security Administrator to represent the nursing profession, hospitals, and accredited nurses training institutions, § 28.4 (8 F.R. 9423) of the regulations of the Surgeon General, United States Public Health Service, governing payments to provide training for nurses is hereby amended to read as follows:

§ 28.4 *Requirements for participation in postgraduate program.* To be eligible for participation in the postgraduate program, an institution must meet the following requirements:

(a) An institution offering a postgraduate program such as those in supervision, teaching, administration in nursing schools and nursing services, public health nursing and clinical nursing specialties, must have well established programs in nursing education for graduate nurses which meet standards equal to those of the Association of Collegiate Schools of Nursing and the National League of Nursing Education or the National Organization for Public Health Nursing relating to matters such as educational staff, curriculum and educational facilities.

(b) Institutions offering programs for graduate nurses in fields related to nursing, such as anesthesia and midwifery, must provide adequate clinical and other facilities in the specialty and a sufficient number of qualified instructors and supervisors.

(c) An institution offering essential concentrated nursing courses contributing to the preparation of administrative, supervisory, or instructional nurse personnel immediately essential to the war effort, which courses are not a part of a well established program of studies in nurse education, must give evidence of need for the course, must have the sponsorship of appropriate national, state or local nursing organizations, including State nurse examination boards, and must provide adequate facilities in relation to such matters as qualified educational staff, course content, and educational facilities.

(d) The institution must certify that all students enrolled in a postgraduate program will in the judgment of the head of the institution be available, upon completion of the program, for military or other Federal governmental or essential civilian services for the duration of the present war, and must require from each such student a statement to that effect.

[SEAL]

THOMAS FARRAN,
Surgeon General,
Public Health Service.

Approved:

WATSON B. MILLER,
Acting Federal Security
Administrator.[F. R. Doc. 44-9296; Filed, June 26, 1944;
10:49 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circular 1577]

PART 195—SODIUM PERMITS AND LEASES

NOTICE OF LEASE OFFER

Sections 195.17, 195.18 and 195.20, are amended to read as follows:

§ 195.17 *Notice of lease offer.* The register of the appropriate district land office will be directed to publish notice of the offer of the lands or deposits for lease for a period of 30 days in a newspaper of general circulation to be designated by the Commissioner of the General Land Office in the county in which the lands or deposits are situated. Such notice shall state the place where and the date and the hour on which bids will be received, and shall describe the land, the amount of royalty and rental to be charged, the minimum investment required, and whether the sale of lease will be made by sealed bids or public auction at the time fixed to the qualified bidder offering the highest bonus for the privilege of leasing the lands or deposits on the terms therein set forth. A copy of the notice will also be posted in the district land office during the period of publication thereof. Publication of the offer will be at the expense of the Government.

All bidders at any public sale of leases are warned against committing any act by intimidation, combination, or unfair management, to hinder or prevent bidding thereat, in violation of section 59 of the Criminal Code of the United States, approved March 4, 1909 (35 Stat. 1039; 18 U.S.C. 113).

§ 195.18 *Auction of lease.* Where the lease is to be sold at public auction the register, at the time fixed in the notice, will offer the land or deposits for lease in that manner at his office on the terms and conditions fixed in the notice to the qualified bidder of the highest amount offered as a bonus for the privilege of leasing the land, subject to the approval of the Secretary of the Interior. The high bidder must deposit with the register on the day of sale a certified check or cash, for one-fifth of the amount of his bid, such sum to be deposited by the register in his account "Deposits, unearned proceeds, lands, etc."

§ 195.20 *Action by bidder.* The high bidder will be allowed 30 days from date of auction or where sealed bids have been submitted, 30 days from receipt of notice that his bid has been accepted within which to file in the district land office (a) a lease, duly executed by him in quintuplicate in the form herein prescribed; (b) evidence of qualifications as prescribed by § 195.24, unless such evidence has theretofore been filed; (c) the bond required by section 2 (b) of the lease, or United States bonds in lieu thereof under the Act of February 24, 1919 (40 Stat. 1148; 6 U.S.C. 15); and to pay the remainder of the bonus bid by him and the annual rental for the first year of the

lease, together with the required filing fee of \$2, for each 160 acres of land, or fraction thereof, but in no case less than \$10.

FRED W. JOHNSON,
Commissioner.

Approved: June 13, 1944.

OSCAR L. CHAPMAN,
Assistant Secretary.

[F. R. Doc. 44-9272; Filed, June 26, 1944;
10:12 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

PART 304—LABOR

[G. O. 5, Rev. Supp. 2, Amdt. 1]

EMPLOYMENT OF FOREIGN NATIONALS ON WSA VESSELS

Section 304.8 *Restriction of employment of certain foreign nationals on American, Panamanian and Honduran flag vessels owned by or under bareboat or time charter to the War Shipping Administration* is amended by inserting after the comma at the end of paragraph (c) and before the word "except", the word "or" and the following paragraph:

(d) Any Danish national who was not so employed on July 1, 1944, or had not been so employed prior thereto.

(E.O. 9054, 7 F.R. 837)

[SEAL]

E. S. LAND,
Administrator.

JUNE 23, 1944.

[F. R. Doc. 44-9217; Filed, June 24, 1944;
11:28 a. m.]

[G. O. 45]

PART 306—GENERAL AGENTS AND AGENTS FREIGHT BROKERAGE AND COMMISSIONS ON FARES

§ 306.121 *Freight brokerage during the period January 1, 1944 to June 30, 1944.* For the period commencing January 1, 1944 to and including June 30, 1944, freight brokerage shall be payable in the manner and to the extent provided in § 306.92 of General Order 34 or in accordance with the provisions of § 306.123 of this general order, and brokers shall have the option of billing for brokerage services rendered during such period either under the provisions of § 306.92 or under the provisions of § 306.123.

§ 306.122 *Freight brokerage and commissions on fares, on and after July 1, 1944—(a) Freight brokerage.* Freight brokerage services rendered on and after July 1, 1944, shall be governed by, and brokerage shall be payable in the manner and to the extent provided in § 306.123 only. Effective as of July 1, 1944, § 306.92 of General Order 34 is cancelled as to services rendered on and after that date, but it shall remain in effect for the period January 1, 1944, to and including June 30, 1944, for the purposes of § 306.121.

(b) *Commissions on fares.* Effective July 1, 1944, § 306.93 of General Order 34 is cancelled and superseded by § 306.124 of this general order, but said § 306.93 shall remain in effect for the period January 1, 1944, to and including June 30, 1944.

§ 306.123 *Freight brokerage.* Subject to the provisions of §§ 306.121 and 306.122 (a), where the payment of brokerage is customary under ordinary commercial practice as defined in paragraph (b) of this section, and where the bill for brokerage is certified as provided in paragraph (d) of this section, brokerage will be paid to qualified brokers who render the usual and customary brokerage services in connection with the shipment of cargo on dry cargo, passenger, and collier vessels under the terms and conditions set forth in paragraphs (a) to (e), inclusive, of this section.

(a) *Rates.* Brokerage will be paid at the customary rates, but not in excess of the rates provided in this paragraph (a). No brokerage will be paid on cargoes procured under Lend-Lease requisitions moving from continental United States ports, except as provided in §§ 301.51 to 301.57, inclusive (General Order 38).

(1) General commercial cargo, commonly known as package cargo:

(i) For services rendered during the period January 1, 1944, to and including June 30, 1944: 1¼% of the base freight rates before all surcharges, war or otherwise;

(ii) For services rendered on and after July 1, 1944: 1¼% of the current freight rates.

(2) Sugar, metals, ores and bulk cargoes (including cargo owned by any department or agency of the Government, for the transportation of which a freight is paid) covered by bills of lading, charter party, or contract of affreightment, in the nearby trades, which includes Caribbean and Canadian: 1¼% of the base freight charges before all surcharges, war or otherwise; *Provided, however,* That brokerage shall not be paid on that portion of freight charges in excess of \$5.00 per manifest ton;

(3) Sugar, metals, ores, and bulk cargoes (including cargo owned by any department or agency of the Government, for the transportation of which a freight is paid) covered by bills of lading, charter party, or contract of affreightment, in long voyage trades, or in spheres outside of those covered by paragraph (a) (2): 1¼% of the base freight before all surcharges, war or otherwise; *Provided, however,* That brokerage shall not be paid on that portion of freight charges in excess of \$8.00 per manifest ton.

(4) Bulk cargoes coastwise (including cargo owned by any department or agency of the Government, for the transportation of which a freight is paid) covered by bills of lading, charter party, or contract of affreightment: 1¼% of the base freight before all surcharges, war or otherwise; *Provided, however,* That brokerage shall not be paid on that portion of freight charges in excess of 80¢ per manifest ton on coal and \$3.00

per manifest ton on phosphate rock, sulphur and other bulk cargoes except coal.

(b) *Ordinary commercial practice.* The term "ordinary commercial practice" as used in this order shall be defined and applied as follows:

(1) In the case of bona fide forwarders performing a dual forwarding and brokerage function it shall refer to the commercial practice of the recognized berth agent of the War Shipping Administration with respect to the payment of brokerage in connection with the movement of such cargoes by forwarders during the calendar year 1939. In such cases brokerage shall not be paid unless it was the commercial practice of the berth operator to pay brokerage to forwarders in the trade route in 1939 for similar cargoes.

(2) In case of brokers who do not also perform a forwarding service in connection with the cargo, the term "ordinary commercial practice" shall refer to the commercial practice of the particular trade involved during the calendar year 1939, or a prior year as provided below, and no commercial practice justifying payment of brokerage in such cases shall be deemed to exist unless the particular shipper, charterer, or consignee involved used the facilities of brokers on the predominant portion of cargo shipped by him in 1939 or in a prior year in which he made substantial shipments, if there were no substantial shipments made by him in 1939. A shipper, charterer, or consignee who was not engaged in business in 1939 or prior years must obtain the approval of the Director of Traffic, War Shipping Administration, before utilizing the facilities of a broker.

(c) *Qualified broker.* A "qualified broker" is one who conducts a bona fide brokerage business, and meets the requirements of paragraph (b). No broker shall be qualified as to:

(1) Any cargo shipped by or to him or in his behalf, unless the shipping documents clearly identify him as an agent of a named principal;

(2) Any cargo in which he has a financial interest other than as authorized herein;

(3) Any cargo shipped by or to or on behalf of any person, firm, or corporation which bears an affiliate relationship to such broker either as subsidiary, parent, or through any other means of actual or possible control, directly or indirectly;

(4) Any cargo carried on any vessel for which the agent or sub-agent of the War Shipping Administration is also the broker or bears an affiliate relationship to the broker, as defined in paragraph (c), (3) of this section.

(5) Any cargo shipped by a shipper, charterer, or consignee for whom the broker did not act as broker for similar cargoes during 1939, or a prior year, or is not approved by the Director of Traffic as provided in paragraph (b) (2).

(6) Any situation where the brokerage relationship in 1939 was based upon brokerage earned in connection with procuring time chartered vessels for utilization by shipper except where specially qualified by the Administrator as a broker by reason of such relationship.

(d) *Brokerage certificate.* Brokerage fees as provided in paragraph (a) of this section may be paid only where a brokerage bill is presented, certified as follows:

Certified and warranted (1) that the undersigned (a) has rendered the usual and customary brokerage services in connection with the shipments covered by this bill, (b) has not been compensated for the brokerage services from any other source, (c) is a qualified and bona fide broker within the meaning of § 306.123 of General Order 45 of the War Shipping Administration, and (d) the amounts billed are true and correct and are due and payable to him pursuant to said § 306.123; and (2) that no portion of any amount paid hereunder shall revert directly or indirectly to any person having or having had a financial interest in this shipment; and (3) that the broker does not have an affiliate relationship, which includes but is not limited to relationship as a subsidiary or parent company, with either the shipper or the consignee; or with either the Agent, General Agent, or Berth Agent for the vessel; and (4) that the above brokerage services are rendered pursuant to an agreement which is subject to and includes all applicable clauses set out in § 306.112 of General Order 42, adopted by the War Shipping Administration on April 17, 1944 (published in the FEDERAL REGISTER on April 18, 1944), all such clauses, to the extent that the same are applicable, being expressly incorporated by this reference, and shall have the same force and effect as if herein fully set forth. This warranty is made in full knowledge that the United States, or its General Agents, Agents, or Berth Agents, will make payment in reliance thereon.

(e) *Payment.* The General Agent, Agent, or Berth Agent acting for the War Shipping Administration shall make payment against brokerage bills so certified if the payment of brokerage is consistent with customary commercial practice as defined in paragraph (b), but in no event shall more than one brokerage be paid on any one cargo or shipment.

§ 306.124 *Commissions on fares.* General Agents, Agents, and Berth Agents are authorized to pay in all trades to bona fide travel or tourist agents a commission of 5% on fares paid by or for passengers traveling for private or commercial account. No commission shall be allowed on fares paid by or for repatriated seamen traveling as passengers.

(E.O. 9054, 7 F.R. 837)

[SEAL]

E. S. LAND,
Administrator.

JUNE 23, 1944.

[F. R. Doc. 44-9218; Filed, June 24, 1944;
11:28 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 7—RULES GOVERNING COASTAL AND MARINE RELAY SERVICES

COASTAL HARBOR RADIOTELEPHONE STATIONS IN GREAT LAKES AREA

The Commission on June 20, 1944 took the following action, effective July 1, 1944:

Amended § 7.34 to read:

§ 7.34 *Identification of radiotelephone station.* The name (geographical location as approved by the Commission) of a coastal harbor station shall be announced upon the completion of each communication with any other station and at the conclusion of each transmission made for any other purpose.

Amended paragraphs (b) and (c) of § 7.38 *Operating procedure for coastal harbor radiotelephone stations in the Great Lakes area only*, to read:

(b) Each coastal harbor station licensed to transmit on one or more frequencies within the band 2500-2600 kilocycles shall maintain, during its hours of service, an efficient¹ watch for the reception of A-3 emission (telephony) on the frequency 2182 kilocycles. In addition, a coastal harbor station may maintain, continuously during its hours of service, a supplemental watch on 2158 kilocycles to receive calls from ship stations in accordance with the provisions of § 7.38 (c) of this part.

(c) Except as hereinafter provided,² each coastal harbor station shall initially call or answer ship stations on the frequency 2182 kilocycles whenever it is desired to establish communication on any working frequency or frequencies within the band 1600-3000 kilocycles. When a coastal harbor station and a ship station have established communication on the frequency 2182 kilocycles, the coastal harbor station thereafter shall direct the ship station when to begin transmission on the working frequency, with due regard to the avoidance of interference with any communication already in progress. Without regard to the foregoing limitation, a coastal harbor station may initially call, on a working frequency within the band 1600-3000 kilocycles, ship stations of the United States whenever type A-2 or special emission is used by the coastal harbor station in transmitting the call for the purpose of actuating an automatic selective ringer installed on board the ship being called; and when specifically authorized³ by the Commission to do so, may answer on 2550 kilocycles calls initiated by ship stations on 2158 kilocycles: *Provided*, That the foregoing requirements shall in no way limit or delay the handling of distress or emergency communications.

¹This watch will not be deemed "efficient" unless the coastal station is capable of normally receiving A-3 emission on 2182 kilocycles from ship stations while the coastal station is transmitting on any other authorized frequency or frequencies.

²See also § 8.54 (e).

³Request made to the Commission for such authorization must be accompanied by a detailed description of the technical means employed to maintain simultaneously an efficient watch for the reception of A-3 emission (telephony) on both 2182 and 2158 kilocycles. For this purpose the watch on either of these frequencies will not be deemed "efficient" unless the coastal station is capable of normally receiving A-3 emission from ship stations while the coastal station is transmitting on any other authorized frequency or frequencies; for example, the coastal station must be capable of normal reception on 2158 kilocycles while normally transmitting on 2182 kilocycles.

(Sec. 4 (1), 48 Stat. 1068; 47 U.S.C. 154 (1))

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-9219; Filed, June 24, 1944;
11:34 a. m.]

PART 8—RULES GOVERNING SHIP SERVICE

SHIP RADIOTELEPHONE STATIONS IN GREAT LAKES AREA

The Commission on June 20, 1944, took the following action, effective July 1, 1944:

Amended paragraph (a) of § 8.51 *Identification of ship station*, to read:

(a) The complete name of the vessel on which the ship station is located shall be announced at the beginning and upon completion of any radiotelephone communication carried on by such station.

Amended paragraphs (b) and (e) of § 8.54 *Operating procedure for ship radiotelephone stations in the Great Lakes area only*, to read:

(b) Each ship telephone station licensed to transmit on one or more frequencies within the band 2100-2200 kilocycles or 2734-2742 kilocycles shall maintain, during its hours of service, an efficient watch for the reception of A-3 emission (telephony) on the frequency 2182 kilocycles whenever it is not engaged in communication on other frequencies.

(e)¹ Whenever a ship station intends to communicate with a coastal harbor station by transmitting on any working frequency within the band 2100-2200 kilocycles, the ship station shall initially call or answer the coastal harbor station on the frequency 2182 kilocycles. Except as hereinafter provided, the ship station may transmit on 2118 or 2158 kilocycles only when directed to do so by the coastal harbor station. Without regard to the foregoing limitation, a ship station may initially call² on the frequency 2158 kilocycles a coastal harbor station in the United States which has been authorized³ by the Commission to answer calls from ship stations transmitted initially on 2158 kilocycles. Calling any one station on 2158 kilocycles shall not exceed one minute in duration. If the called station has not answered at the end of the one-minute period, that station shall not again be called until at least 15 minutes have elapsed. The foregoing requirements shall in no way limit or delay the handling of distress or emergency communications.

Amended § 8.222 *Radio log during hours of service*, paragraph (d), subparagraphs (1), (2), (3), and (4), to read:

(1) Each sheet of the log shall be numbered in sequence and shall include official call letters of the ship station and the signature of the licensed operator in

¹See also § 7.38 (c).

²See § 8.52.

³The Commission will notify ship station licensees of authorizations which are issued to coastal harbor stations for this purpose.

attendance at the time communication is effected.

(2) An entry shall be made for each complete exchange of communications with any station, stating the approximate geographical location of the vessel, the call letters or the name of the station communicated with, the time of the communication, the nature of the messages or signals exchanged, and designation of the transmitting frequencies.

(3) All test transmissions shall be entered, including designation of the transmitting frequency, together with the time of commencement and completion of such transmissions and the approximate geographical location of the vessel, without regard to whether two-way communication with any other station is established.

(4) All distress calls, urgent and safety signals made or intercepted; the complete text, if possible, of distress messages and distress communication; and any incidents or occurrences which may appear to be of importance to safety of life or property at sea, shall be entered, together with the time of such observation of occurrence, designation of the frequency on which such transmissions were received, and the position of the ship or other mobile unit in need of assistance, if it can be determined.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-9220; Filed, June 24, 1944;
11:34 a. m.]

PART 31—UNIFORM SYSTEM OF ACCOUNTS, CLASS A AND CLASS B TELEPHONE COM- PANIES

MISCELLANEOUS AMENDMENTS

The Commission on June 20, 1944, took the following action, effective January 1, 1945: *Provided, however*, That any carrier which files with the Commission a waiver of statutory notice may keep its accounts and records in conformity with these amended requirements commencing at any date prior to January 1, 1945 that may be specified in such waiver.

Amended § 31.2-21 *Telephone plant acquired*, by deleting the first sentence of paragraph (e) and substituting therefore the following:

Except for telephone plant acquired by class A companies where the consideration paid is less than \$50,000 and by class B companies where the consideration paid is less than \$25,000, copies of journal entries recording acquisitions of telephone plant covered by this instruction shall be submitted to this Commission for consideration and approval.

Amended § 31.413 *Miscellaneous debits to surplus* by adding to the item list, as the last item thereof:

Penalties and fines paid on account of violations of statutes pertaining to regulation.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i); sec. 220 (a), 48 Stat. 1078; 47 U.S.C. 220 (a)).

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-9221; Filed, June 24, 1944;
11:34 a. m.]

PART 31—UNIFORM SYSTEM OF ACCOUNTS, CLASS A AND CLASS B TELEPHONE COM- PANIES

PART 33—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS C TELEPHONE COMPANIES

TELEPHONE ACCOUNTING BULLETIN

The Commission on June 20, 1944, effective immediately, adopted an amendment¹ to Telephone Accounting Bulletin No. 1 (7 F.R. 7257), Interpretations of the Accounting Requirements Contained in the Uniform Systems of Accounts for Telephone Companies (Classes A, B, and C).

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i), sec. 220, 48 Stat. 1078; 47 U.S.C. 220)

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-9222; Filed, June 24, 1944;
11:34 a. m.]

PART 33—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS C TELEPHONE COMPANIES

SURPLUS INCOME

The Commission on June 20, 1944 took the following action, effective January 1, 1945: *Provided, however*, That any carrier which files with the Commission a waiver of statutory notice may keep its accounts and records in conformity with these amended requirements commencing at any date prior to January 1, 1945 that may be specified in such waiver.

Amended § 33.2900 *Surplus*, paragraph (c), to read:

(c) It shall be charged with the debit balance of income for the year, dividends declared, amortization of intangible property not provided for elsewhere, amounts appropriated to cover past accrued depreciation or amortization not provided for, decline in the value of investments, debits on the reacquisition of the company's securities, unamortized capital-stock and debt discount and expense written off, loss on plant sold together with the traffic associated therewith, reversal of amounts previously credited to surplus, penalties and fines on account of violations of statutes pertaining to regulation, and other losses realized not properly deductible from current income.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i); sec. 220, 48 Stat. 1078; 47 U.S.C. 220)

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-9223; Filed, June 24, 1944;
11:34 a. m.]

¹ Filed as a part of the original document.

PART 34—UNIFORM SYSTEM OF ACCOUNTS FOR RADIOTELEGRAPH CARRIERS

EXTRAORDINARY INCOME CHARGES

The Commission on June 20, 1944, took the following action effective January 1, 1945: *Provided, however*, That any carrier which files with the Commission a waiver of statutory notice may keep its accounts and records in conformity with these amended requirements commencing at any date prior to January 1, 1945, that may be specified in such waiver.

Amended § 34.6299 *Other extraordinary income charges* by adding to the item list as the last item thereof:

Penalties and fines paid on account of violations of statutes pertaining to regulation.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i); sec. 220, 48 Stat. 1078; 47 U.S.C. 220)

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-9224; Filed, June 24, 1944;
11:34 a. m.]

PART 35—UNIFORM SYSTEM OF ACCOUNTS FOR WIRE-TELEGRAPH AND OCEAN-CABLE CARRIERS

EXTRAORDINARY CURRENT INCOME CHARGES

The Commission on June 20, 1944, took the following action, effective January 1, 1945: *Provided, however*, That any carrier which files with the Commission a waiver of statutory notice may keep its accounts and records in conformity with these amended requirements commencing at any date prior to January 1, 1945, that may be specified in such waiver.

Amended § 35.6120 *Extraordinary current income charges*, by adding to the item list as the next to the last item thereof, the following:

Penalties and fines paid on account of violations of statutes pertaining to regulation.

(Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i); sec. 220, 48 Stat. 1078; 47 U.S.C. 220)

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-9225; Filed, June 24, 1944;
11:35 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Com- mission

PART 98—MILITARY PERSONNEL TRANS- PORTATION PRIORITY

[S. O. 213]

TRANSPORTATION PRIORITY FOR DISABLED MILITARY, NAVAL OR MERCHANT MARINE PERSONNEL

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 20th day of June, A. D. 1944.

It appearing, That pursuant to the provisions of Executive Order 8989, as amended, and paragraph 15 of section 1

of the Interstate Commerce Act, as amended, the Director of the Office of Defense Transportation by his Certificate of Preference and Priority in Transportation No. 3 has certified to this Commission that it is essential to the national defense and security that preference and priority in transportation be afforded to invalid, disabled or infirm members of the military, naval, or merchant marine forces of the United States or of any Government allied with the United States in the present war, and their attendants, en route to or from a point of hospitalization; and the Commission being of the opinion that an emergency exists requiring immediate action: It is ordered; That:

(a) *Definitions.* (1) The term "invalid serviceman" as used in this order means any invalid, disabled, or infirm member of the military, naval, or merchant marine forces of the United States or of any Government allied with the United States in the present war.

(2) The term "attendant" as used in this order means any person designated by the military, naval, or merchant marine forces of the United States or of any Government allied with the United States in the present war, to attend one or more invalid servicemen en route to or from a point of hospitalization.

(3) The term "medical certificate" as used in this order means a medical certificate issued by an authorized medical officer of the military, naval, or merchant marine forces of the United States.

(b) *Preference and priority to be afforded invalid servicemen.* Every common carrier by railroad and every sleeping car company shall afford preference and priority in transportation over all other traffic to invalid servicemen whether transported pursuant to a medical certificate or not, and their attendants, en route to or from a point of hospitalization, and, whenever and to the extent necessary to afford such preference and priority, shall:

(1) Divert equipment and transportation facilities and supplies from use in freight or passenger service;

(2) Cancel or discontinue passenger train service; and

(3) Refuse permission to passengers, other than invalid servicemen and their attendants, to board passenger trains;

and whenever such servicemen are to be transported pursuant to a medical certificate, either individually or collectively, every such carrier and every such sleeping car company, whenever and to the extent necessary to afford such preference and priority, shall also:

(4) Cancel reservations and space assignments, or tickets therefor; and

(5) Cause and require passengers to vacate, prior to departure of a train from point of origin or at any time of the day or night thereafter, the space and accommodations occupied by them.

(c) Reservations and space assignments or tickets therefor canceled, and passengers required to vacate the space and accommodations occupied by them or passengers refused permission to board passenger trains, shall first be designated by an agent of the Interstate

Commerce Commission appointed for that purpose.

(d) *Appointment of agents to direct cancelations and vacating of space and accommodations.* Each ticket agent and each passenger train conductor of a common carrier by railroad and each sleeping car conductor of a sleeping car company is hereby appointed an agent of the Interstate Commerce Commission to make the designations contemplated by paragraph (c) of this order. A sleeping car conductor shall exercise his authority as such agent only in the absence of the passenger train conductor.

(e) *Suspension provisions.* The operation of any or all rules, regulations, or practices of common carriers by railroad and sleeping car companies, in so far as they conflict with the provisions of this order is hereby suspended.

(f) *Announcement of suspension.* Each such common carrier or sleeping car company, or its agent, shall publish, file and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 38-1 of the Commission's Tariff Circular No. 18-A, announcing the suspension of any of the provisions therein. (40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m. June 27, 1944, and shall remain in force until further order of the Commission; that copies hereof shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTZ,
Secretary.

[F. R. Doc. 44-9241; Filed, June 23, 1944;
11:43 a. m.]

Chapter II—Office of Defense Transportation

[General Order ODT 44]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

General outline. This order regulates the transfer of new commercial motor vehicles within the continental United States and the territories and possessions of the United States.

The order provides that no person shall transfer or accept transfer of any new commercial motor vehicle unless such transfer has been authorized by a certificate of transfer issued by the Office of Defense Transportation. Included within the scope of the order are sales, leases, trades, loans, gifts, and other methods by which title or possession of a new commercial motor vehicle is trans-

ferred from one person to another. The definition of "new commercial motor vehicle" includes vehicles of the following types: trucks, truck chassis, truck-tractors, off-the-highway motor vehicles, full-trailers and semi-trailers having a load carrying capacity of 10,000 pounds or more, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but does not include taxicabs and integral type buses.

An application for a certificate of transfer is required to be in writing, on a form provided by the Office of Defense Transportation, and submitted to the district office of the Office of Defense Transportation nearest to the home office or principal place of business of the applicant. In the case of a department or agency of the United States, the application is to be submitted direct to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

Provision is made for the issuance of government exemption permits to certain named government agencies and, upon the request of the Foreign Economic Administration, to private persons for the purpose of exporting new commercial motor vehicles.

A certificate of transfer for a new commercial motor vehicle will be issued only for a specific use included within a "Usage Classification List for New Commercial Motor Vehicles" contained in an appendix to the order, and when it appears that the transfer of the new vehicle is necessary to the war effort or to the maintenance of essential civilian economy and that the vehicle will be devoted, without undue delay, to such use or uses in the business of the applicant and within the area as indicated in the application. A certificate of transfer will not be issued unless it is found to be consistent with the available supply of new commercial motor vehicles.

Manufacturers, distributors, and dealers who acquire new commercial motor vehicles for the purpose of resale and not for use, are not required to have certificates of transfer for such acquisitions, and certain named government agencies are permitted to acquire new commercial motor vehicles under government exemption permits. Special provision is made for the issuance of certificates of transfer and government exemption permits in respect of vehicles (local passenger transportation equipment) subject to General Order ODT 35. (8 F.R. 3451)

A manufacturer or sales agency which has in stock a new commercial motor vehicle of the type specified in a certificate or permit is required to transfer such vehicle upon presentation of such certificate of transfer or government exemption permit, provided certain stated conditions are met.

Notification to the Office of Defense Transportation of all transfers made pursuant to certificates of transfer or exemption permits is required.

The order also provides that a new commercial motor vehicle which has

been transferred pursuant to a certificate of transfer, for the purpose of transporting property, shall not, within 6 months after such transfer, be transferred to any other person or converted to any other use than that for which the certificate of transfer was issued, without the written prior approval of the Office of Defense Transportation. An exception to this restriction is made in favor of a transfer of possession of a vehicle for transporting property where possession under the transfer is for a period not in excess of 10 days.

Persons affected by the order are required to preserve, for a period of not less than 2 years, records concerning inventories and transfers of new commercial motor vehicles. Such records are to be made available for examination and inspection by accredited representatives of the Office of Defense Transportation.

Certificates of transfer and government exemption permits, heretofore issued by the War Production Board pursuant to General Conservation Order M-100, as amended (7 F.R. 1632, 4030, 5705), which by their terms will not expire until a date on or after the effective date of this order, are continued in effect in accordance with their respective terms.

This general outline shall not be construed to alter the meaning of any provision contained in the order.

The text of General Order ODT 44 follows:

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, 9156, 9214 and 9294, War Production Board Directives 21 and 36, and in order to conserve and providently utilize vital transportation equipment, material, and supplies; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; and being satisfied that the fulfillment of the requirements for the defense of the United States has resulted and will result in a shortage in the supply of new commercial motor vehicles for defense, for private use and for export, and it being deemed necessary in the public interest and to promote the national defense, to ration or allocate new commercial motor vehicles, it is hereby ordered, that:

- Sec.
- 501.420 Restrictions on transfers of new commercial motor vehicles.
 - 501.421 Application for certificate of transfer; place of filing.
 - 501.422 Certificate of transfer; when issued; period of validity.
 - 501.423 Government exemption permits; exports by private persons.
 - 501.424 Transfer from stock upon presentation of certificate or permit.
 - 501.425 Notification or transfer.
 - 501.426 Subsequent transfers.
 - 501.427 Issuance of certificates and permits for vehicles subject to General Order ODT 35.
 - 501.428 Exemptions.
 - 501.429 Records and reports.
 - 501.430 Unexpired certificate or permit issued by War Production Board.
 - 501.431 Applicability.
 - 501.432 Definitions.
 - 501.433 Communications.

AUTHORITY: §§ 501.420 to 501.433, inclusive, issued under the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 U. S. Code, Sec. 631 through 645a; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; War Production Board Directives 21 and 36, 8 F.R. 5834; 9 F.R. 6989.

§ 501.420 Restrictions on transfers of new commercial motor vehicles. Except as otherwise provided in this order and irrespective of the terms of any contract of sale or purchase, or of any other commitment, no person shall transfer and no person shall accept transfer of any new commercial motor vehicle, unless such transfer has been authorized by a certificate of transfer issued by the Office of Defense Transportation.

§ 501.421 Application for certificate of transfer; place of filing. (a) An application for a certificate of transfer shall be made in writing by the person desiring to acquire a new commercial motor vehicle, on the form provided by the Office of Defense Transportation and approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942, and shall contain the information requested therein. Additional data deemed requisite to support the application may be attached thereto.

(b) If the applicant is not a department or agency of the United States, the application shall be submitted to the Office of Defense Transportation at the place specified below, unless the applicant is directed to submit the application at another place:

(1) An applicant located within the continental United States shall file the application with the district manager of the Office of Defense Transportation whose office is nearest the home office or principal place of business of the applicant.

(2) An applicant located in the Territory of Alaska shall file the application with the Alaskan representative of the Office of Defense Transportation, Fairbanks, Alaska.

(3) An applicant located in the Territory of Hawaii shall file the application with the regional director of the Office of Defense Transportation, Honolulu, Hawaii.

(4) An applicant located in Puerto Rico shall file the application with the regional director of the Division of Puerto Rican Transport, Office of Defense Transportation, San Juan, Puerto Rico.

(5) An applicant located in a territory or possession of the United States other than Alaska, Hawaii or Puerto Rico, shall file the application with the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

(c) If the applicant is a department or agency of the United States, the application shall be submitted direct to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

§ 501.422 Certificate of transfer; when issued; period of validity. (a) A certificate of transfer will be issued by

the Office of Defense Transportation whenever it appears that the transfer of the new commercial motor vehicle for a specified use included in the Usage Classification List for New Commercial Motor Vehicles, reproduced as Appendix 1 hereto, is necessary to the war effort or to the maintenance of essential civilian economy and that the new commercial motor vehicle will be devoted, without undue delay, to such use or uses in the business of the applicant and within the area as indicated in the application, and that the allocation to the applicant of the new commercial motor vehicle applied for will be consistent with the available supply of such vehicles.

(b) A period of validity shall be stated in each certificate of transfer.

§ 501.423 Government exemption permits; exports by private persons. (a) Upon written request of an exempt government agency, and within the specific quotas established therefor by the War Production Board and to the extent to which vehicles are available, the Office of Defense Transportation will issue government exemption permits to or for the account of such agencies. The written request should be made by the Washington, D. C., office of the exempt government agency (except in the case of the Army Exchange Service, in which case the written request should be made by the New York, N. Y., office) and submitted direct to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

(b) A government exemption permit will be issued to a private person for the purpose of exporting a new commercial motor vehicle from the United States only upon the written request of the Foreign Economic Administration. Any government exemption permit issued under this paragraph (b) shall be within the specific quota established for the Foreign Economic Administration by the War Production Board, shall designate the particular transferor, and shall be issued only when such vehicle is available within the then existing supply of new commercial motor vehicles. The provisions of this paragraph (b) shall not be applicable to vehicles exported to Canada for the account of the Motor Vehicle Controller of Canada.

(c) A period of validity shall be stated in each government exemption permit.

§ 501.424 Transfer from stock upon presentation of certificate or permit. Any manufacturer or sales agency to which a valid certificate of transfer or government exemption permit is presented, and which has in stock a new commercial motor vehicle of the type specified, shall transfer such vehicle to the person named in such certificate of transfer or government exemption permit, irrespective of the terms of any contract of sale or any other commitment, provided the prospective purchaser who presents either of these documents is legally capable of entering into a contract, and tenders in cash or by certified check the maximum price established for the vehicle by the Office of Price Administration, or is prepared to sign the security instruments and pos-

sesses the financial qualifications customarily required of a purchaser: *Provided*, That nothing in this § 501.424 shall be construed as precluding the transfer of a new commercial motor vehicle at less than the maximum price established for the vehicle by the Office of Price Administration.

§ 501.425 *Notification of transfer.*

(a) In each case of a transfer of a new commercial motor vehicle pursuant to a certificate of transfer the transferor and the transferee shall execute a notification of transfer in the form supplied by the Office of Defense Transportation. Such notification shall be filed forthwith with the district manager who handled the application, except that if the applicant is a department or agency of the United States, such notification shall be transmitted direct to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

(b) In each case of a transfer of a new commercial motor vehicle pursuant to a government exemption permit the transferor shall execute a notification of transfer in the form supplied by the Office of Defense Transportation. Such notification shall be transmitted forthwith by the transferor to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

§ 501.426 *Subsequent transfers.* (a) A new commercial motor vehicle which has been transferred pursuant to a certificate of transfer, for the purpose of transporting property, shall not, within 6 months after such transfer, be transferred to any other person or converted to any other use than that stated in the application for such certificate of transfer, without the written prior approval of the Office of Defense Transportation. Such prior approval will not be given unless it appears that the vehicle will be devoted, without undue delay, to a use or uses directly related and necessary to the war effort or to the maintenance of essential civilian economy. Applications for such prior approval shall be in writing and submitted to the district manager with whom the original application for such certificate of transfer was filed. The written application shall be signed by the applicant and shall contain a statement of the facts upon which the applicant bases his request for approval.

(b) The restriction of paragraph (a) of this § 501.426 shall not apply to any transfer of possession of a new commercial motor vehicle (property carrier) under an agreement, oral or written, for the purpose of transporting property in the regular course of business of a person as a motor carrier for hire, or in the furtherance of any commercial enterprise of a person, where possession under such transfer shall not continue under any conditions for a period in excess of 10 days from the date upon which such transfer is first made.

§ 501.427 *Issuance of certificates and permits for vehicles subject to General Order ODT 35.* (a) Nothing in this General Order ODT 44, except paragraph (c) of this § 501.427, shall be construed as altering or affecting any provision of

General Order ODT 35 (8 F.R. 3451), or as such order may be hereafter amended, revised, or reissued.

(b) Where approval by the Office of Defense Transportation of the purchase, lease, requisition, or use of any local passenger transportation equipment, as defined in General Order ODT 35, by any Federal department is required by § 501.303 of General Order ODT 35 or pursuant to the Act of December 1, 1942 (Public Law 779, 77th Congress, 56 Stat. 1024; 50 U. S. C. App. Supp., 841, 842), and a certificate of transfer or government exemption permit for any such equipment is also required pursuant to the provisions of this General Order ODT 44, a single application for approval shall be filed pursuant to the provisions of § 501.304 of General Order ODT 35 or the said Act of December 1, 1942. If such application is approved by the Office of Defense Transportation, a certificate of transfer or a government exemption permit, as the case may be, will be issued without requiring the submission of a separate application for such certificate of transfer or such government exemption permit.

(c) Where approval by the Office of Defense Transportation of the purchase, lease, requisition, or use of any local passenger transportation equipment by any contractor, as defined in General Order ODT 35, is required by § 501.303 of General Order ODT 35, and a certificate of transfer for such equipment is also required by § 501.420 of this General Order ODT 44, a single application shall be filed pursuant to the provisions of § 501.421 of this General Order ODT 44. If such application is approved by the Office of Defense Transportation, a certificate of transfer will be issued without requiring submission of the application for approval of the purchase, lease, requisition, or use of such equipment provided in General Order ODT 35.

§ 501.428 *Exemptions.* (a) Any person holding a government exemption permit may acquire by transfer a new commercial motor vehicle without a certificate of transfer.

(b) The following persons may acquire by transfer a new commercial motor vehicle without a certificate of transfer, but only for the purpose of resale and not for use:

(1) A manufacturer, distributor, or dealer;

(2) A person who in good faith lends money on the security of, or finances the sale of, a new commercial motor vehicle;

(3) A person distraining upon a new commercial motor vehicle under a writ of attachment, execution or similar form of judicial process, or any person repossessioning a new commercial motor vehicle under the terms of a conditional sales contract, mortgage or similar instrument;

(4) A person acquiring title to a new commercial motor vehicle through or under the terms of a will, or by intestacy under any State or Federal law, or through bankruptcy or receivership proceedings.

§ 501.429 *Records and reports.* All persons affected by this order shall pre-

serve for not less than 2 years, accurate and complete records concerning inventories and transfers of new commercial motor vehicles, and shall prepare and maintain such other records and make such reports, as the Office of Defense Transportation may prescribe, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Such records shall be available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

§ 501.430 *Unexpired certificate or permit issued by War Production Board.* Any certificate of transfer or government exemption permit issued by the War Production Board pursuant to General Conservation Order M-100, as amended (7 F.R. 1632, 4030, 5705), which, according to its terms, will not expire until a date on or after the effective date of this order, is hereby continued in effect in accordance with the terms of such certificate or government exemption permit.

§ 501.431 *Applicability.* The provisions of this order shall be applicable within the continental United States, and the territories and possessions of the United States.

§ 501.432 *Definitions.* As used herein:

(a) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity.

(b) "New commercial motor vehicle" means any light, medium or heavy motor-truck, truck-tractor or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which:

(1) Was manufactured subsequently to July 31, 1941; and

(2) Was designed to be propelled or drawn by mechanical power; and

(3) Was designed for use on or off the highways for transportation of property, or persons; and

(4) Was manufactured otherwise than under specifications of the United States Army or United States Navy; and

(5) Has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types: trucks, truck chassis, truck-tractors, off-the-highway motor vehicles, full-trailers and semi-trailers having a load carrying capacity of 10,000 pounds or more, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

(c) "Manufacturer" means any person who manufactures new commercial motor vehicles.

(d) "Dealer" means any person regularly engaged in the business of offer-

ing new commercial motor vehicles for sale at retail to the public.

(e) "Distributor" means any person other than the manufacturer regularly engaged in the business of selling new commercial motor vehicles to dealers.

(f) "Sales agency" means any distributor or dealer, and includes any agency or branch of a manufacturer which sells new commercial motor vehicles: *Provided, however*, That the terms "manufacturer," "dealer," "distributor," and "sales agency," as defined in paragraphs (c), (d), (e), and (f) of this § 501.432 do not include manufacturers of bodies or other equipment for mounting on truck chassis produced by other manufacturers.

(g) "Transfer" means to sell, lease, trade, lend, give, deliver, ship or physically transfer in any other way which involves the use of the commercial motor vehicle after the transfer by a person other than the transferor; or to convert to use a commercial motor vehicle held by a manufacturer, distributor or dealer; or to change the designation of the registered owner. Transfer does not include delivery to a carrier for shipment, nor delivery by a carrier to a consignee; nor does it include a lease or loan made in good faith by any person other than a dealer, distributor, or other sales agency; nor does it include a technical transfer of title for security purposes to a person financing a conditional sale or similar transaction made simultaneously with the transfer of the vehicle itself to the purchaser.

(h) "Certificate of transfer" means a nontransferable certificate, in prescribed form, issued by the Office of Defense Transportation, authorizing the transfer of a new commercial motor vehicle.

(i) "Exempt government agency" means the United States Army, the United States Navy, the Motor Vehicle Controller of Canada, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, or the Office of Scientific Research and Development.

(j) "Government exemption permit" means a non-transferable permit, in prescribed form, issued by the Office of Defense Transportation, authorizing the transfer of a new commercial motor vehicle to or for the account of an exempt government agency, or for export.

(k) "Transferor" means any manufacturer, dealer, distributor, sales agency or other person who transfers a new commercial motor vehicle.

(l) "Transferee" means any person who acquires possession of a new commercial motor vehicle pursuant to a certificate of transfer or government exemption permit.

(m) "District" means a district of the Highway Transport Department of the Office of Defense Transportation as described in Administrative Order ODT 6A.

(n) "District manager" means the manager of a district, and, in the case of the territories and possessions of the United States, shall include the representatives of the Office of Defense Transportation referred to in § 501.421 of this order.

(o) "Continental United States" means the forty-eight States and the District of Columbia.

§ 501.433 *Communications.* Communications concerning this order should refer to General Order ODT 44 and should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C., or to the nearest district office of the Office of Defense Transportation.

This General Order ODT 44 shall become effective July 1, 1944.

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1—USAGE CLASSIFICATION LIST FOR NEW COMMERCIAL MOTOR VEHICLES

The following classification of new commercial motor vehicles on the basis of use applies to light, medium and heavy trucks, truck-tractors, trailers, and chassis thereof. It will serve as a broad general basis for the preferential allocation of the supply of such new vehicles. The various classes are arranged in the order of their importance from the standpoint of the national war effort. Individual groups within a given class are shown as illustrations of the coverage of the class and do not indicate preference groups within the class.

All vehicles are to be classified according to their predominant or principal use into five classes arranged in the order in which preference is to be granted. As a general rule, predominant or principal use means 50 percent or more of the applicant's operations. The Usage Classification List is as follows:

CLASS I

Vehicles principally used in connection with military forces (in action or on maneuvers), public health or safety, or with essential channels of communications, such as

In connection with military forces in the field (in action or on maneuvers).

To maintain public police services; fire-fighting services; services essential to protection of public health and safety, including the regulation of highway traffic and prevention of highway accidents.

To construct and maintain mail, telegraph, telephone and organized radio communication services.

To furnish and maintain water supply, sewage and garbage disposal and other sanitation services.

CLASS II

Vehicles principally used directly in connection with the war effort, such as

In connection with fixed military and naval posts and establishments.

In the transportation of all materials, supplies and equipment of industry and business directly connected with the war effort, including farm, forest and mine products, and food.

In service operations connected with the construction, maintenance and supply of essential rail, highway, water, pipe line, and air transportation facilities.

In the transportation of material and equipment for the construction of defense housing facilities.

In the transportation of material and equipment for the construction and maintenance of public utilities other than those specified in Class I above.

In the transportation of persons engaged in business, industry, etc., directly connected with the war effort.

CLASS III

Vehicles principally used in connection with essential functions indirectly connected with the war effort, such as

In the transportation of all materials, supplies and equipment of industry and business indirectly connected with the war effort, including farm, forest and mine products, and food.

For the transportation of ice, and fuel for heating and power to the ultimate consumer for personal, family or household use.

For the rendering of essential roofing, plumbing, heating, electrical, building and vehicle repair services.

For the collection of waste and scrap material other than services performed in connection with Class I.

In the transportation of persons in business, industry, etc., indirectly connected with the war effort.

In the service of public and private schools and educational institutions.

CLASS IV

Vehicles used for the transportation of persons or goods, except as above classified, not connected with the war effort, and which are used in the less essential activities.

This includes all essential forms of retail delivery, except that of ice and fuel (see Class III).

CLASS V

Vehicles used in connection with non-essential functions or so-called "luxury" uses and not connected with the war effort.

[F. R. Doc. 44-9267; Filed, June 26, 1944; 10:30 a. m.]

[Administrative Order ODT 27]

PART 503—ADMINISTRATION

RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

General outline. This Administrative Order ODT 27 supplements General Order ODT 44, which governs the allocation or rationing of new commercial motor vehicles and which prohibits, with certain exceptions, the transfer of a new commercial motor vehicle except under a certificate of transfer issued by the Office of Defense Transportation. This administrative order establishes the procedure that will be followed upon the filing of an application for a certificate of transfer with the district office of the Office of Defense Transportation nearest to the home office or principal place of business of the applicant.

A district manager to whom an application for a certificate of transfer is submitted may, after making such investigation as is necessary, either disapprove the application or forward it to Washington with his recommendation of approval. The standards which govern a district manager in his determination are prescribed. If the district manager disapproves an application, the applicant

may appeal to a local appeal board which may either affirm or reverse the district manager's decision. In case of reversal, the local appeal board will forward the application to Washington with its recommendation of approval. The final decision on each application is made by the Assistant Director of the Office of Defense Transportation in charge of the Highway Transport Department.

Limitations upon the filing of a new application after disapproval of an original application are prescribed.

This administrative order also prescribes the procedure to be followed by a person who, having acquired a new commercial motor vehicle, pursuant to a certificate of transfer, for the purpose of transporting property, seeks the approval of the Office of Defense Transportation to transfer such vehicle within 6 months after its acquisition. Applications for such approval and appeals in connection therewith are to be handled under the terms of this administrative order in the same general manner as applications for certificates of transfer.

This general outline shall not be construed to alter the meaning of any provision contained in the order.

The text of Administrative Order ODT 27 follows:-

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, 9156, 9214 and 9294, and War Production Board Directives 21 and 36, and in order to regulate transfers of new commercial motor vehicles for which prior authority is required by General Order ODT 44, It is hereby ordered, That:

- Sec.
503.470 Application for certificate of transfer.
503.471 Consideration of application by district manager.
503.472 Appeal from decision of district manager; local appeal boards.
503.473 Issuance of certificate of transfer.
503.474 Filing of new application after disapproval of original application.
503.475 Approval of subsequent transfer; appeals.
503.476 Delegation of authority.
503.477 Definitions.
503.478 Communications.

AUTHORITY: §§ 503.470 to 503.478, inclusive, issued under the Act of May 30, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 U. S. Code, Secs. 631 through 645a; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; War Production Board Directives 21 and 36, 8 F.R. 5834, 9 F.R. 6989.

§ 503.470 *Application for certificate of transfer.* (a) An application for a certificate of transfer shall be made on the form prescribed and provided by the Office of Defense Transportation, except that existing supplies of Form WPB-663 may be used until September 1, 1944.

(b) An application shall consist of an original and 3 exact copies, including any supporting data; and a separate application must be filed for each vehicle.

(c) If the applicant is an individual, the application should be signed by him. If the applicant is a partnership, the names of all partners should be stated and the application should be signed by

one partner. If an individual or a partnership does business under a trade name, such trade name should also be stated in the application. If the applicant is a corporation, the exact corporate name should be stated, and the application should be executed by an authorized official of the corporation.

§ 503.471 *Consideration of application by district manager.* (a) The district manager to whom an application is submitted may refer the application to another district manager for advice or handling.

(b) Upon receipt of an application the district manager without undue delay shall make any necessary investigation and shall either recommend approval of the application or shall disapprove it. If the district manager recommends approval of the application, he shall forward it to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C. If the district manager disapproves the application, he shall return to the applicant the original so marked, with a letter stating briefly the grounds of disapproval and outlining the appeal procedure.

(c) The district manager shall recommend approval of an application only upon a determination by him that the new commercial motor vehicle will be devoted, without undue delay, to the use or uses directly related and necessary to the war effort or to the maintenance of essential civilian economy, in the business of the applicant and within the area, as indicated in the application. In making a determination under this § 503.471, the district manager shall be governed by the "Usage Classification List for New Commercial Motor Vehicles" as reproduced in Appendix 1 to General Order ODT 44, or as it may be amended from time to time; shall consider the number of available new commercial motor vehicles of the type covered by the application; and shall be assured:

(1) That the applicant could not fill its needs by leasing available vehicles of others, by pooling its present vehicles with those of other operators, by purchasing a used vehicle, or by utilizing the services of other operators; and

(2) That the applicant could not transfer some of its present vehicles now being used for less essential purposes to the use for which it is now requesting the new vehicle; and

(3) That if the new vehicle is to be used for replacement, the vehicle to be replaced is incapable of being repaired to serve the applicant's purpose.

§ 503.472 *Appeal from decision of district manager; local appeal boards.* (a) Local appeal boards shall be established to consider appeals from decisions of district managers, as provided in this order. Each local appeal board will consist of three members appointed by the Office of Defense Transportation, no one of whom shall be a district manager or a member of a district manager's staff.

(b) Local appeal boards heretofore established by the Office of Defense Trans-

portation to hear and determine appeals pursuant to War Production Board General Conservation Order M-100, as amended (7 F. R. 1632, 4030, 5705), are hereby established as local appeal boards under this Administrative Order ODT 27, and are authorized to consider appeals filed pursuant to this order.

(c) Any applicant who is aggrieved by the action of a district manager in disapproving an application for a certificate of transfer, or in disapproving an application for approval of a subsequent transfer made under § 503.475 of this order, may file an appeal from such decision with the local appeal board within 30 days after such decision is made. The appeal shall be in writing and shall state in full the facts upon which the appeal is based and the reasons why it is believed that the decision of the district manager is inconsistent with the provisions of this order. The applicant may submit to the local appeal board such additional data as is deemed requisite to support the appeal. The appeal and supporting data should be submitted in duplicate.

(d) The local appeal board will consider the appeal with or without hearing in the discretion of the local appeal board. If the local appeal board denies the appeal, the original application will be returned to the applicant accompanied by an appropriate notification from the local appeal board. No further appeal will be allowed. If the local appeal board allows the appeal, the application will be forwarded to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

(e) Communications in regard to an appeal should be addressed to Local Appeal Board, Office of Defense Transportation, in care of the district manager with whom the original application was filed.

§ 503.473 *Issuance of certificate of transfer.* A certificate of transfer will be issued by the Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department when recommended by the district manager or local appeal board in connection with a proper application and if it appears that the allocation of the applicant of the new commercial motor vehicle applied for will be consistent with the provisions of General Order ODT 44, including the available supply of such vehicles; otherwise he will disapprove the application and so notify the applicant. The decision of the Assistant Director shall be final.

§ 503.474 *Filing of new application after disapproval of original application.* (a) After an application for a certificate of transfer has been disapproved by a district manager, the applicant may file a new application for a new commercial motor vehicle for the same usage not earlier than 3 months after the date of the disapproval of the original application by the district manager.

(b) If the applicant has appealed to a local appeal board and the appeal has been denied, the applicant may file such new application not earlier than 3

months after the date of the notification of the denial by the local appeal board.

(c) If the district manager or local appeal board recommends approval of the application, but it is subsequently disapproved by the Assistant Director, the applicant may file such new application not earlier than 3 months after the date of the disapproval by the Assistant Director.

(d) Notwithstanding paragraphs (a), (b), and (c) of this § 503.474, an application may be reconsidered by the district manager, the local appeal board, or the Assistant Director, at any time prior to the expiration of such respective 3 months' periods, provided that additional data are submitted which have substantial bearing on the merits of the application, and a reasonable explanation is given why such additional data were not previously submitted.

(e) In construing this § 503.474, an application shall be considered as being a new application for a new commercial motor vehicle for the same usage if it appears from an examination thereof that the proposed usage as stated therein is substantially the same as that stated in the original application; a change in the place where the vehicle is to be used or any change or substitution in the make, model, gross vehicle weight, or capacity of the vehicle will not of itself be considered to be a substantial change in usage.

§ 503.475 *Approval of subsequent transfer; appeals.* (a) Whenever written application for approval of a subsequent transfer is filed with a district manager pursuant to § 501.426 of General Order ODT 44, the district manager may require the applicant to submit reasonable proof of statements made in support of the application, and may make such investigation as may be reasonably necessary for proper disposition of the application. The district manager will approve the application only when it appears that the vehicle sought to be transferred will be devoted, without undue delay, to a use or uses directly related and necessary to the war effort or to the maintenance of essential civilian economy, and upon such showing will issue in the field a written approval of the transfer. In the absence of such showing the district manager shall disapprove the application and so notify the applicant in writing and advise him of the appeal procedure.

(b) An appeal from a disapproval of a district manager of an application for approval of a subsequent transfer may be made to a local appeal board as provided in § 503.472 of this order. If the appeal board allows the appeal, the final decision as to whether the subsequent transfer will be approved will be made by the Assistant Director.

§ 503.476 *Delegation of authority.* The authority conferred by this administrative order upon the Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department, may be delegated by him to

such member or members of his staff as he may designate.

§ 503.477 *Definitions.* As used herein:

(a) "Assistant Director" means the Assistant Director, Office of Defense Transportation, in charge of the Highway Transport Department.

(b) Any term that is defined in General Order ODT 44, or as it may be amended, shall have the meaning specified therefor in § 501.432 (Definitions) of General Order ODT 44.

§ 503.478 *Communications.* Communications concerning this order should refer to Administrative Order ODT 27, and should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C., or to the nearest district office of the Office of Defense Transportation.

This Administrative Order ODT 27 shall become effective July 1, 1944.

NOTE: The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-9268; Filed, June 26, 1944;
10:30 a. m.]

[Gen. Order ODT L-2, Revocation]

PART 504—DIRECTION OF MOTOR TRAFFIC MOVEMENTS

MOTOR TRANSPORTATION OF CORN FROM OR WITHIN A DESIGNATED AREA

Pursuant to the Act of May 31, 1941 as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, and 9156, and War Production Board Directive 21, and it appearing that War Food Order No. 98, as amended, of the War Food Administration will expire at 12:01 a. m., c. w. t., June 24, 1944,

It is hereby ordered, That General Order ODT L-2 (9 F.R. 5444) be, and it hereby is, revoked.

This revocation shall become effective June 24, 1944.

(Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 App. U.S.C., §§ 631 through 645a; E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; War Production Board Directive 21, 8 F.R. 5834; War Food Order No. 98, as amended, 9 F.R. 4379, 4738, 5397)

Issued at Washington, D. C., this 23d day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 44-9206; Filed, June 24, 1944;
10:50 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

NEVADA

WITHDRAWAL OF PUBLIC LANDS FOR PROPOSED GRAZING DISTRICTS

Withdrawal for proposed grazing district in Esmeralda, Eureka, Lander and Nye Counties, Nevada, vacated in part.

Under authority of departmental order of November 24, 1937, pursuant to section 1 of the Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976; 43 U.S.C. sec. 315), notice was published on November 30, 1937, that a hearing would be held at Austin, Nevada, for the purpose of considering the establishment of a grazing district in Esmeralda, Eureka, Lander, and Nye Counties, State of Nevada.

The publication of such notice had the effect of withdrawing from all forms of entry and settlement all public lands within the counties named, exclusive of established grazing districts and national forests.

The withdrawal is hereby modified to exclude the following described tract of land:

NEVADA

MOUNT DIABLO MERIDIAN

T. 11 S., R. 47 E., sec. 17. S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, containing five acres.

OSCAR L. CHAPMAN,
Assistant Secretary.

JUNE 17, 1944.

[F. R. Doc. 44-9273; Filed, June 26, 1944;
10:12 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 835]

ALLOCATION OF FUNDS FOR LOANS

JUNE 5, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
California 4026A1 Fresno.....	\$260,000
Illinois 4040B3 Macoupin.....	50,000
Iowa 4-2047G5 Franklin.....	125,000
Minnesota 4032E1 Fillmore.....	100,000
Minnesota 4082B1 Becker.....	150,000
Mississippi 4026D2 Panola.....	50,000
Ohio 4-2094A2 Adams.....	15,000
Texas 4065C2 Rusk.....	35,000
Texas 4135A1 Ochiltree.....	168,000
Wisconsin 4037C2 Trempealeau.....	65,000
Wisconsin 4040E3 Barron.....	75,000
Wisconsin 4043E4 Grant.....	50,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-9245; Filed, June 24, 1944;
4:06 p. m.]

[Administrative Order 836]

ALLOCATION OF FUNDS FOR LOANS

JUNE 6, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Alabama 4042A1 Montgomery.....	\$1,015,000
Alabama 4-2042GT2 Montgom- ery.....	1,400,000
Alabama 4042GT3 Montgomery..	390,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-9246; Filed, June 24, 1944;
4:06 p. m.]

[Administrative Order 837]

ALLOCATION OF FUNDS FOR LOANS

JUNE 6, 1944.

I hereby amend:

(a) Administrative Order No. 622, dated September 23, 1941, by changing the project designation therein given as "Alabama 2042G1 Montgomery" to read "Alabama 2042GT1 Montgomery."

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-9247; Filed, June 24, 1944;
4:06 p. m.]

[Administrative Order 838]

ALLOCATION OF FUNDS FOR LOANS

JUNE 6, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	Amount
Nebraska 4082A1 Furnas.....	\$565,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-9248; Filed, June 24, 1944;
4:06 p. m.]

[Administrative Order 839]

ALLOCATION OF FUNDS FOR LOANS

JUNE 9, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Indiana 4-3029D2 Fulton.....	\$30,000
Indiana 4-3059C2 Wayne.....	25,000
Indiana 4-3059D1 Wayne.....	23,000

Project designation—Continued.	Amount
Kentucky 4052E3 Fleming.....	\$50,000
Minnesota 4-3018F1 Douglas.....	150,000
Minnesota 4-3039D1 Chippewa.....	115,000
Mississippi 4023E4 Copiah.....	50,000
Missouri 4-3023C2 Lewis.....	100,000
Ohio 4-3093B1 Washington.....	60,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-9249; Filed, June 24, 1944;
4:06 p. m.]

DEPARTMENT OF LABOR.

Children's Bureau.

POWER-DRIVEN WOODWORKING MACHINES

NOTICE OF PROPOSED AMENDMENT

Notice of proposed amendment to Hazardous Occupations Order No. 5.

Whereas, the Chief of the Children's Bureau, United States Department of Labor, issued Hazardous Occupations Order No. 5 effective August 1, 1941 (6 F.R. 3149), and amended effective November 13, 1942 (7 F.R. 9298), and February 18, 1944 (9 F.R. 1903) providing that the occupations of operating, power-driven woodworking machines, setting up, adjusting, repairing, oiling or cleaning such machines, and the occupations of off-bearing from a circular saw or guillotine-action veneer clipper, excepting certain specified occupations, are particularly hazardous for the employment of minors between the ages of 16 and 18, and

Whereas, the Chief of the Children's Bureau has been petitioned for amendment of this order with respect to certain occupations in the manufacture of veneer fruit and vegetable baskets, hampers or crates, and

Whereas, a supplementary investigation reveals, and the War Manpower Commission, the War Production Board, and the War Food Administration have advised the Chief of the Children's Bureau, that critical shortages of labor exist in the manufacture of veneer fruit and vegetable baskets, hampers, and crates, which are limiting the production of these items needed in wartime food production, and

Whereas, such supplementary investigation also reveals that the occupations included in the request for amendment are not as highly hazardous as other occupations covered by such order, and

Whereas, it appears that the manufacture of veneer fruit and vegetable baskets and crates needed in wartime food production will be aided by the employment of minors between 16 and 18 years of age in such occupations, and

Whereas, the Chief of the Children's Bureau proposes to issue an order in the form set forth below amending Hazardous Occupations Order No. 5 by adding paragraph (f) to § 422.5 of such order,

Now, therefore, notice is hereby given to all interested persons of the opportunity to show cause within ten days from the date of publication of this notice in the FEDERAL REGISTER why the Chief of the Children's Bureau, United States Department of Labor, Washing-

ton, D. C., should not promulgate the order proposed herein. All objections, protests, or statements in opposition to or in support of the proposed order should be addressed to the Chief of the Children's Bureau, United States Department of Labor, Washington, D. C.

Section 422.5 of Part 422 of Chapter IV, Title 29, Code of Federal Regulations, is hereby amended so as to include the following paragraph, to be designated as paragraph (f):

(f) Notwithstanding the provisions of paragraph (a) hereof, during the continuance of the present war and for six months after the termination thereof, unless terminated prior thereto by order of the Chief of the Children's Bureau, this order shall not apply to the occupations of operating nailing, stapling, wire stitching, fastening or assembling machines used in the manufacture of veneer fruit and vegetable baskets, hampers, or crates.

This amendment shall become effective upon publication in the FEDERAL REGISTER.

Dated: June 26, 1944.

KATHARINE F. LENROOT,
Chief of the Children's Bureau.

[F. R. Doc. 44-9314; Filed, June 26, 1944;
12:03 p. m.]

Wage and Hour Division.

EMPLOYMENT OF HOMEWORKERS IN
EMBROIDERIES INDUSTRYPOSTPONEMENT OF EFFECTIVE DATE OF
REGULATIONS

In the matter of the postponement of the effective date of the provisions in the wage order for and the regulations applicable to the employment of home workers in the embroideries industry, Title 29, Chapter V, Code of Federal Regulations, Part 633 and § 633.100.

Whereas, the Administrator of the Wage and Hour Division of the United States Department of Labor by order dated May 4, 1944 and published in the FEDERAL REGISTER on May 10, 1944 (9 F.R. 4952) extended to June 26, 1944 the effective date of the provisions in the wage order for and the regulations applicable to industrial home work employment in the embroideries industry; and

Whereas, the Administrator has determined that it is necessary to extend further the effective date of the industrial home work provisions in the wage order for and the regulations applicable to the employment of home workers in the embroideries industry;

Now, therefore, it is hereby ordered, That the effective date of the industrial home work provisions in the wage order for and the regulations applicable to the employment of home workers in the embroideries industry is extended to July 26, 1944.

Signed at New York, New York, this 22d day of June 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-9160; Filed, June 23, 1944;
2:16 p. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6402]

RAYMOND C. HAMMETT (New)

NOTICE OF HEARING

In re application of Raymond C. Hammett, (New); date filed, October 27, 1941; for construction permit; class of service, broadcast; class of station, broadcast; location, Talladega, Alabama; operating assignment specified: Frequency, 1230 kc, power, 250 w., and hours of operation, unlimited; File No. B3-P-3365.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To determine the financial, technical and other qualifications of the applicant to construct and operate the proposed station.

2. To obtain full information with respect to permits and licenses heretofore issued to the applicant.

3. To determine whether the equipment proposed to be employed by the applicant will comply with the requirements of the rules and regulations of the Commission and the Standards of Good Engineering Practice.

4. To determine the character and quality of the program service the applicant proposes to render and whether there is sufficient talent available to reasonably insure a program service in the public interest.

5. To determine the areas and populations which would receive primary service from the operation of the proposed station and what other broadcast services are available to these areas and populations.

6. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942, or any modifications thereof.

7. To determine whether the granting of the instant application tends towards a fair, efficient and equitable distribution of radio services, is consistent with sound allocation principles and offers a substantial improvement in standard broadcast services.

8. To obtain full information with respect to the truth or falsity of the statements heretofore made to the Commission in connection with any permits heretofore issued to the applicant.

9. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than

the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Raymond C. Hammett, P. O. Box 43, Talladega, Alabama.

Dated at Washington, D. C., June 21, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-9226; Filed, June 24, 1944;
11:35 a. m.]

[Docket No. 6592]

GENE L. CAGLE (New)

NOTICE OF HEARING

In re application of Gene L. Cagle, (New), date filed, February 16, 1944, for construction permit; class of service, broadcast; class of station, broadcast; location, Fort Worth, Texas; operating assignment specified: frequency, 1340 kc., power, 250 w., and hours of operation unlimited (Facilities of KAND requested); file No. B3-P-3576.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To determine whether the applicant is financially, technically and otherwise qualified to construct and operate the proposed station.

2. To determine the character and quality of the program service proposed to be rendered by the applicant, in the event of a grant of the application.

3. To determine the extent of any interference which would result from the simultaneous operation of the proposed station and Station WRR.

4. To determine the areas and populations which would be deprived of primary service, particularly from Station WRR, as a result of the operation of the proposed station, and what other broadcast services are available to those areas and populations.

5. To determine the areas and populations which would be precluded from receiving primary service from the proposed station as a result of the operation of Station WRR, and what other broadcast services are available to those areas and populations.

6. To determine the areas and populations which would gain primary service by the operation of the proposed station, and what other broadcast services are available to those areas and populations.

7. To determine the areas and populations now receiving primary service from Station KAND, which would be deprived of such service, and what other broadcast services are available to those areas and populations.

8. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934 as amended.

9. To determine whether the granting of this application would be consistent

with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942, or any subsequent modifications thereof.

10. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Gene L. Cagle, 3608 Bellaire Drive N., Fort Worth, Texas.

Dated at Washington, D. C., June 21, 1944.

By the Commission,

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-9227; Filed, June 24, 1944;
11:35 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5899]

EMPIRE DISTRICT ELECTRIC CO., ET AL.

NOTICE OF APPLICATION

JUNE 21, 1944.

In the matter of The Empire District Electric Company, Lawrence County Water, Light & Cold Storage Company, Benton County Utilities Corporation and Ozark Utilities Company.

Notice is hereby given that on June 20, 1944, a joint application was filed, pursuant to the Federal Power Act, by The Empire District Electric Company (hereinafter called "Empire"), a corporation organized under the laws of the State of Kansas and doing business in the States of Arkansas, Kansas, Missouri and Oklahoma, with its principal business office at Joplin, Missouri; Lawrence County Water, Light & Cold Storage Company (hereinafter called "Lawrence"), a corporation organized under the laws of the State of Missouri and doing business in said State, with its principal business office at Joplin, Missouri; Benton County Utilities Corporation (hereinafter called "Benton"), a corporation organized under the laws of the State of Arkansas and doing business in said State, with its principal business office at Gravette, Arkansas; and Ozark Utilities Company (hereinafter called "Ozark"), a corporation organized under the laws of the State of Missouri and doing business in said State, with its principal business office at Joplin, Missouri, seeking an order authorizing the merger and consolidation of all their facilities with and into the facilities of Empire, the surviving company.

The application states that Empire is engaged in generating, purchasing, transmitting, distributing and/or selling electric energy in Cherokee County, Kansas, Ottawa and Craig Counties, Oklahoma, Benton County, Arkansas, and McDonald, Newton, Jasper, Barton, Barry, Lawrence, Stone, Taney, Christian, Greene, Webster, Polk, Hickory and Benton Counties, Missouri; Lawrence is engaged in purchasing, transmitting, distributing and/or selling electric energy in Lawrence, Greene, Stone and Christian Counties, Missouri; Benton is engaged in purchasing, transmitting, distributing and/or selling electric energy in Benton County, Arkansas; Ozark is engaged in generating, purchasing, transmitting, distributing and/or selling electric energy in Barton, Jasper, Lawrence, Dade, Cedar, St. Clair, Hickory, Polk and Dallas Counties, Missouri. Some of the Applicants also operate a small water utility business and/or ice and cold storage business. Upon the consummation of the proposed merger, all the facilities owned or operated by the Applicants for the transmission of electric energy will be merged, which facilities at December 31, 1943, consisted of 838.49 circuit miles of transmission line of both wood pole and steel construction at voltages of 132,000, 66,000, and 33,000, all of which operate at 60-cycle frequency except approximately 110 circuit miles thereof, which operate at 25-cycle frequency. Such facilities also include 129 substations.

The application also states it is desired to consummate the transaction in order to combine in one corporate entity electric utility assets constituting a single integrated system, thereby eliminating three unnecessary corporate entities; to assure a fair and equitable distribution of voting power among holders of preferred and common stocks of the surviving company; to facilitate the reclassification of accounts of the constituent corporations in compliance with the requirements of regulatory authorities; and to effect disposal by Cities Service Power & Light Company of its interest in the surviving company in compliance with the order of the Securities and Exchange Commission dated August 17, 1943, in the Matter of Cities Service Power & Light Company, et al., File No. 59-7; all as more fully appears in the application on file with the Commission.

The Applicants request that a decision be made by the Commission as to the scope and extent of its jurisdiction over the transactions involved in the consummation of the merger, and that an order be entered giving any and all appropriate authorization for the consummation of the transactions over which the Commission shall have decided it has jurisdiction.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 13th day of July, 1944, file with the Federal Power Commission a petition or protest

in accordance with the Commission's rules of practice and regulations.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-9287; Filed, June 26, 1944;
11:29 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5002]

GENERAL DIARIES, INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of June, A. D. 1944.

In the matter of General Diaries, Inc., a corporation, and Albert A. Friedman and Mrs. Elizabeth Friedman, individuals trading in the name of General Diaries, and as officers of said corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, July 20, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in Room 505, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL]

A. N. ROSS,
Acting Secretary.

[F. R. Doc. 44-9259; Filed, June 26, 1944;
10:32 a. m.]

[Docket No. 5023]

ACME AND ACME MAIL ORDER HOUSE

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of June, A. D. 1944.

In the matter of Louis Goldberg, an individual, trading in the names of Acme and Acme Mail Order House.

This matter being at issue and ready for the taking of testimony, and pur-

suant to authority vested in the Federal Trade Commission,

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, July 17, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in Room 505, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-9260; Filed, June 26, 1944;
10:32 a. m.]

[Docket No. 5023]

HARVEST HOUSE

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of June, A. D. 1944.

In the matter of Benjamin H. Levine, an individual, trading as Harvest House.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, July 24, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in Hearing Room No. 505, 45 Broadway, New York, N. Y.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL]

A. N. ROSS,
Acting Secretary.

[F. R. Doc. 44-9261; Filed, June 26, 1944;
10:33 a. m.]

[Docket No. 5053]

BURTON BROTHERS & CO., INC.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of June, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, July 18, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in Room 505, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL]

A. N. ROSS,
Acting Secretary.

[F. R. Doc. 44-9262; Filed, June 26, 1944;
10:33 a. m.]

[Docket No. 5084]

COOKWARE ASSOCIATES

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of June, A. D. 1944.

In the matter of Robert W. Hailey, G. P. Hubble, and H. F. Hall, individually and as copartners trading as Cookware Associates.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, June 18, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Court Room 4, Post Office Building, Pittsburgh, Pennsylvania.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial ex-

aminer will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-9263; Filed, June 26, 1944;
10:33 a. m.]

[Docket No. 5133]

J. CLAUD GRIFFIN AND DANIEL G. RIES

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of June, A. D. 1944.

In the Matter of J. Claud Griffin, individually, and trading as Commercial Art Company, and formerly trading as Modern Art Company and American Arts, and Daniel G. Ries, individually, and trading as Progressive Portrait Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, July 10, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Court Room Four, Post Office Building, Pittsburgh, Pennsylvania.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondents. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-9264; Filed, June 26, 1944;
10:34 a. m.]

[Docket No. 5163]

WORLD PUBLISHING CO.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of June, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, July 24, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in Room 410, Federal Building, Cleveland, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-9265; Filed, June 26, 1944;
10:34 a. m.]

FOREIGN ECONOMIC ADMINISTRATION.

[Case 20]

A. JOHN BITTSON ENGINEERING CO., ET AL.

DECISION AND ORDER ON APPEAL

In the matter of Anthony John Bittson, A. John Bittson Engineering Co., and World Distributors Corporation.

Pursuant to Part 807 of the regulations adopted under section 6 of the Act of July 2, 1940, as amended, the Trade Intelligence Division of the Office of Exports, Office of Economic Warfare (now Trade Intelligence Section of the Operations Division of the Requirements and Supply Branch, Bureau of Supplies, Foreign Economic Administration) by letter dated September 20, 1943, charged Anthony John Bittson, A. John Bittson Engineering Company, and World Distributors Corporation (hereinafter referred to as "appellants") with violations of section 6 of the Act of July 2, 1940, as amended, and the regulations adopted pursuant thereto. The appellants filed a written answer to said charges under date of October 2, 1943, and the matter came on for oral hearing before Kelly Kash, Compliance Commissioner for the Administration, on October 4, 1943. It was stipulated by counsel for the Office of Exports and counsel for the appellants at the time of hearing that, in lieu of oral testimony, the case should be submitted to Commissioner upon affidavits. On October 15, 1943, the Office of Exports submitted an affidavit to the Commissioner executed by an attorney in the Export Division of the General Counsel's Office, Office of Economic Warfare, together with certain exhibits, and on October 27, 1943, an answering affidavit was filed by Anthony John Bittson on behalf of the appellants.

The Compliance Commissioner received such affidavits and exhibits and, after due consideration of the record, on

the 18th day of February, 1944, filed his findings of fact and recommendations in this matter.

The Compliance Commissioner found that the appellants had violated Section 6 of the Act of July 2, 1940, as amended, and the regulations adopted pursuant thereto, and, on the second day of March, 1944, Walter Freedman, Deputy Director, Requirements and Supply Branch, Bureau of Supplies, Foreign Economic Administration, upon consideration of the record, findings of fact, and recommendation of the Compliance Commissioner in the matter, issued an order denying to appellants and any person, association, or organization acting in their behalf or for their account, the privilege of obtaining individual or any other type of export license, or release certificate, authorizing any exportation whatsoever from the United States until and including June 30, 1944, and revoking all presently outstanding export licenses issued to the said appellants, or any of them.

The appellants have duly filed a written appeal from said order to the undersigned, Director of the Requirements and Supply Branch, Bureau of Supplies, Foreign Economic Administration. The undersigned, having reviewed the record, findings of fact, conclusions and recommendations of the Compliance Commissioner in this matter, and having given due consideration to the grounds set forth in the appellants' appeal, finds that the facts and conclusions of the Commissioner are supported by the record and that the order issued pursuant thereto on March 2, 1944, by Walter Freedman, Deputy Director, Requirements and Supply Branch, Bureau of Supplies, Foreign Economic Administration, was proper and ought not be modified.

The claim of the appellants set forth in their appeal is that the proof submitted by the Office of Exports was insufficient to support the conclusion and the recommendation of the Compliance Commissioner and the order issued by the Deputy Director. This charge of insufficiency is predicated largely upon the fact that the affidavit on behalf of the Office of Exports was made by an attorney in the Office of General Counsel who, the appellants assert, had no personal knowledge of the facts, and that the statements contained in this affidavit constitute conclusions unsupported by any evidence. An examination of the affidavit filed on behalf of the Office of Exports clearly indicates that the statements made therein were predicated upon representations made by the appellants in the application for export license on which the charges were predicated, and there were sufficient factual bases from these official records and the other exhibits filed by the Office of Exports to support the findings of fact and conclusions reached by the Compliance Commissioner. The mere fact that the exhibits on which both the Compliance Commissioner and the Deputy Director relied were not formally incorporated as part of the affidavit of the Office of Exports is immaterial. Both counsel for the appellants and the Compliance Commissioner have referred to the relevant exhibits in documents

forming part of the record, and they were treated by both sides as a part of the record and have been so treated upon consideration of this appeal.

The principal charge against the appellants under which these proceedings arose involved the exportation to Portugal of 220,880 pounds of black steel sheets. It appears from the report of the Compliance Commissioner that, on July 14, 1942, World Distributors Corporation by A. John Bittson, its president and sole stockholder, filed an application with the Board of Economic Warfare for a shipment of 221,000 pounds of black steel sheets to Portugal reciting an approximate selling price, f. a. s. New York, of \$6,550, with a unit value of \$2.81 per 100 pounds plus a 5% exporter's premium. One of the exhibits filed in this case is a photostatic copy of an invoice submitted by World Distributors Corporation at the time of shipment which indicates a unit price of \$11.50 per 100 pounds and a total sale price of \$25,401.20, f. a. s. New York. On the appeal, the appellants admit that the amount stated in this invoice was endorsed over the signature of A. John Bittson as representing the true selling price. An attempt, however, has been made to argue that the price stated in this invoice was not the true selling price. Mr. Bittson's affidavit attempts to explain that \$11,050 of the total "was applied as a credit to Canha & Formigal Lda. (the claimed purchaser) for their subsequent use in this country in connection with future purchase or otherwise" and also that the further discrepancy was attributable to "various charges" on the shipment. Although the appellants were given full opportunity to explain this discrepancy the only explanations offered were these vague statements. The appellants' affidavit makes reference to an original order and cablegram from the purchaser, but neither of these documents have been offered or submitted by the appellants. From an examination of the whole record, I am convinced that the actual selling price of these steel sheets was far in excess of the maximum ceiling price permitted under Office of Price Administration regulations and that the exportation constituted a violation of § 801.8 of the regulations promulgated pursuant to section 6 of the Act of July 2, 1940. In view of this conclusion it is unnecessary to consider the further charge that these steel sheets were, in fact, exported to a person not named in the license.

Now therefore, it is determined and ordered that the said order of the Deputy Director, Requirements and Supply Branch, Bureau of Supplies, Foreign Economic Administration, denying to the appellants and any person, association, or organization acting in their behalf and for their account, the privilege of obtaining individual or any other type of export license or release certificate and the use of any general or other type of export license authorizing any exportation whatsoever from the United States until and including June 30, 1944, and revoking all presently outstanding export licenses issued to the said appellants, or any of them, is affirmed.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9361; Order 1, 8 F.R. 9323; E.O. 9380, 8 F.R. 13031; Delegation of Authority 21, 8 F.R. 16235; Delegation of Authority 21, 8 F.R. 16320)

Dated: June 23, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-9254; Filed, June 24, 1944;
4:53 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3773]

GEORGE VIOHL, ET AL.

In re: Interest in real property, property insurance policies and claim owned by George Viohl, Henry Viohl, Gesine Bischof and Metta Hoyer.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9035, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the persons whose names and last known address appear below are residents of Germany and nationals of a designated enemy country (Germany):

Names and Last Known Address

George Viohl, Butendiek, Lillenthal, Bremen, Germany.

Henry Viohl, Steinboch Strasse, Lillenthal, Bremen, Germany.

Gesine Bischof, 112 Lutherstrasse, Bremen, Germany.

Metta Hoyer, 9 Steinboch Strasse, Lillenthal, Bremen, Germany.

2. That the said George Viohl, Henry Viohl, Gesine Bischof and Metta Hoyer are the owners of the property described in subparagraph 3 hereof:

3. That the property described as follows:

- An undivided one-fourth interest in the real property situated in the County of Kings, State of New York, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

- An undivided one-half interest in the real property situated in the County of Nassau, State of New York, particularly described in Exhibit B, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

- All right, title and interest of George Viohl, Henry Viohl, Gesine Bischof and Metta Hoyer in and to the following insurance policies:

- Fire Insurance Policy No. 67213 issued by United States Fire Insurance Co. of New York, New York, insuring the property described in subparagraph 3-a hereof;

- Fire Insurance Policy No. 27781 issued by Richmond Insurance Co. of New York, West New Brighton, New York, insuring the property described in subparagraph 3-a hereof;

- Liability Insurance Policy No. OLT 183636 issued by United States Fidelity and

Guaranty Company, Baltimore, Maryland, insuring against liability on the property described in subparagraph 3-a hereof, and

d. All right, title, interest and claim of any name or nature whatsoever, of George Viohl, Henry Viohl, Gesine Bischof and Metta Hoyer, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to the said George Viohl, Henry Viohl, Gesine Bischof and Metta Hoyer, by Walter Bruckhausen, 14 Wall Street, New York, New York, arising from rent collections received by said Walter Bruckhausen from the real property described in subparagraph 3-a hereof, including but not limited to all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect such obligations,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a and 3-b hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraphs 3-a and 3-b hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-c and 3-d hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section

10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 7, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All that certain piece or parcel of land situate, lying and being in the 25th Ward of the Borough of Brooklyn, City and State of New York, bounded and described as follows:

Beginning at a point formed by the intersection of the Northerly line of Halsey Street with the Southwesterly line of Broadway; running thence Westerly along the Northerly line of Halsey Street 107' 2", and thence Northerly and at right angles to Halsey Street 18' 5½"; thence Northeasterly and at right angles to Broadway 63' 3¼" to a point in the Southwesterly side of Broadway, distant 88' 5" Northwesterly from Halsey Street, and thence Southeasterly along the Southwesterly line of Broadway 88' 5" to the point or place of Beginning.

EXHIBIT B

All that certain lot or parcel of land designated as Lot No. 3 in Block B on map of property of Nassau Haven Co., Inc., entitled "Nassau Haven, Garden City, Nassau County, New York; revised and amended April 1923, Cyril E. Marshall, C. E., Hempstead, New York," and filed in the Office of the Clerk of Nassau County, New York, and bounded and described as follows, to wit:

Commencing at a point in the Easterly line of Crescent Parkway, which said point is a distance of 78.35 feet on a curve, the radius of which is 185 feet, from the intersection of the Easterly line of Crescent Parkway with the Southerly line of Greenridge Avenue, and running thence from said place of beginning South 78°12'22" East, a distance of 120 feet to the Westerly line of Park Lane; thence Southwesterly along the Westerly line of said Park Lane, on a curve, the radius of which is 305 feet, a distance of 75 feet; thence North 62°35'57" West, a distance of 120.07 feet to a point on the Easterly line of Crescent Parkway, which said point is a distance of 50 feet on a curve, the radius of which is 185 feet from the intersection of the Easterly line of Hathaway Drive with the Southeasterly line of Crescent Parkway, and running thence Northerly on a curve, the radius of which is 185 feet, a distance of 42.31 feet to the place of Beginning.

[F. R. Doc. 44-9274; Filed, June 26, 1944; 10:46 a. m.]

[Vesting Order 3813]

EVA ENGER

In re: Trust under the will of Eva Enger, deceased; File D-28-2133; E. T. sec. 2850.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by First Wisconsin Trust Company, 735 North Water Street, Milwaukee, Wisconsin, Trustee, acting under the judicial supervision of the County Court of Washington County, State of Wisconsin;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Person or persons, names unknown, entitled to receive the estate of Lioba Rupp, who died a resident of Germany, Germany.
Mrs. Stephanie Krapp, Germany.
Mrs. Lulu Krapp, Germany.
Mrs. Dr. Dölger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of person or persons, names unknown, entitled to receive the estate of Lioba Rupp, who died a resident of Germany, Mrs. Stephanie Krapp, Mrs. Lulu Krapp, Mrs. Dr. Dölger, and each of them, in and to the Trust under the will of Eva Enger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9275; Filed, June 26, 1944; 10:46 a. m.]

[Vesting Order 3814]

MINNA A. GEIPEL

In re: Estate of Minna A. Gelpel, deceased; File No. D 28-8436; E. T. sec. 9839.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order No. 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Christine Widmann of Worcester, Massachusetts, executrix, acting under the judicial supervision of the Probate Court, County of Worcester, Commonwealth of Massachusetts; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ernest Pauli and his children, names unknown, Thuringen, Germany.

Agnes Pauli Doring and her children, names unknown, Thuringen, Germany.

Elsie Kulbach Zwerschke and her children, names unknown, Thuringen, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ernest Pauli and his children, names unknown, Agnes Pauli Doring and her children, names unknown, and Elsie Kulbach Zwerschke and her children, names unknown, and each of them, in and to the estate of Minna A. Geipel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9276; Filed, June 26, 1944;
10:46 a. m.]

No. 127—9

[Vesting Order 3815]

JULIUS A. GROSS

In re: Trust under Will of Julius A. Gross, deceased; File D-28-2600; E. T. sec. 3950.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Title Guarantee and Trust Company, Trustee, acting under the judicial supervision of the Surrogate's Court, Kings County, New York; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hans F. Gross, and his children, names unknown, resident in Germany, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hans F. Gross, and his children, names unknown, resident in Germany, in and to the trust created under the last will and testament of Julius A. Gross, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country", as used herein, shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9277; Filed, June 26, 1944;
10:46 a. m.]

[Vesting Order 3816]

PAUL GUENTHER

In re: Estate of Paul Guenther, deceased; File D-23-1724; E. T. sec. 756.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Clerk of Morris County Orphans' Court, as depositary, acting under the judicial supervision of the Orphans' Court, Morris County, Morristown, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, an agency or instrumentality of a designated enemy country, Germany, namely, University of Leipzig, Leipzig, Germany.

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of University of Leipzig in and to the Estate of Paul Guenther, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9278; Filed, June 26, 1944;
10:46 a. m.]

[Vesting Order 3817]

TRINTJE HAEHNCHEN

In re: Mortgage Participation Certificate N158431 in Mortgage F-738 issued by Bond and Mortgage Guarantee Co. under guarantee No. 170878 to Trintje

Haehnchen, in the amount of \$1,231.91; File F-28-2292; E. T. sec 894.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Manufacturers Trust Company, 55 Broad Street, New York City, Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Trintje Haehnchen,

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Trintje Haehnchen in and to the mortgage participation certificate No. N158481 in Mortgage F-738, in the amount of \$1,231.91, issued by Bond and Mortgage Guarantee Company under guarantee No. 170878,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9279; Filed, June 26, 1944; 10:47 a. m.]

[Vesting Order 3818]

KATIE HANNEMANN

In re: Estate of Katie Hannemann, deceased; File D-28-8007; E. T. sec. 9002.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Frederick C. Lutz and John Kuhn, Jr., Executors, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Andreas Munzinger and his wife and children, names unknown, Germany.

George Hannemann and his wife and children, names unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Andreas Munzinger and his wife and children, names unknown, and George Hannemann and his wife and children, names unknown, and each of them, in and to the estate of Katie Hannemann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.
[F. R. Doc. 44-9280; Filed, June 20, 1944; 10:47 a. m.]

[Vesting Order 3819]

INOKI HONDA

In re: Estate of Inoki Honda, deceased; File: D-66-1316; E. T. sec. 8315, H-39.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Arthur E. Restarick, Administrator, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Heirs at law and next of kin, names unknown, of Inoki Honda, deceased, Japan.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of the heirs at law and next of kin, names unknown, of Inoki Honda, deceased, and each of them, in and to the estate of Inoki Honda, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9281; Filed, June 26, 1944;
10:47 a. m.]

[Vesting Order 3820]

ANNA JELINEK

In re: Estate of Anna Jelinek, deceased; File D-34-144; E. T. sec. 5659.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Cook County, County Building, Chicago, Illinois, Depositary, and Charles E. O'Connor, 123 West Madison Street, Chicago, Illinois, Attorney-in-Fact, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of designated enemy countries, Germany and Hungary, namely,

Nationals and Last Known Address

Therese Glatz (Schwalger), Germany (Austria).

Henrick (Henrik) Neumann, Hungary.

Hermine (Hermine) Neumann, Glaser, Hungary.

Samuel Neumann, Hungary.

Eugene Neumann, Hungary.

Josephine (Josefine) Neumann, Hungary.

Iona (Elona) Welsz Weinberger, Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, Germany and Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$5,778.77, which is in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, which amount was deposited on December 19, 1940 and February 11, 1944 pursuant to Orders of the Probate Court, Cook County, Illinois, entered November 29, 1940 and February 7, 1944; also, all right, title, interest and claim of any kind or character whatsoever of Iona (Elona) Welsz Weinberger, in and to the estate of Anna Jelinek, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall

not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9282; Filed, June 26, 1944;
10:47 a. m.]

[Vesting Order 3821]

CHRISTY JERIAN

In re: Estate of Christy Jerian, deceased; File D-11-20; E. T. sec. 5437.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Administrator, acting under the judicial supervision of the Superior Court of the State of California in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Bulgaria, namely,

National and Last Known Address

Makruha Koparamlan, Bulgaria.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Bulgaria; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Makruha Koparamlan, in and to the estate of Christy Jerian, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall

not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9283; Filed, June 26, 1944;
10:43 a. m.]

[Vesting Order 3822]

TOSHIRO KOBATA

In re: Estate of Toshiro Kobata, deceased; File: D-39-6334; E. T. sec. 10319.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by M. D. Zinn, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Imperial;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Tokio Kobata, and the heirs and next of kin, names unknown, of Toshiro Kobata, deceased, Japan.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the National interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Tokio Kobata, and the heirs and next of kin, names unknown, of Toshiro Kobata, deceased, and each of them, in and to the estate of Toshiro Kobata, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts,

pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9284; Filed, June 26, 1944;
10:48 a. m.]

[Vesting Order 3823]

SOLOMON LICHTER

In re: Estate of Solomon Lichter, deceased; File No. D-57-342; E. T. sec. 9545.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Sidonia Lichter, as executrix, acting under the judicial supervision of the Surrogate's Court of Westchester County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Roumania, namely,

Nationals and Last Known Address

Ary Lichter, Roumania.
Jacob Lichter, Roumania.
Sophia Schein, Roumania.
Anna Feder, Roumania.
Rebecca Theller, Roumania.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Roumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ary Lichter, Jacob Lichter, Sophia Schein, Anna Feder and Rebecca Theller, and each of them, in and to the estate of Solomon Lichter, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: June 19, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9285; Filed, June 28, 1944;
10:48 a. m.]

[Supplemental Vesting Order 3849]

TOMIO FUKUSHINA

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found by Vesting Order No. 241, dated October 19, 1942, that the persons whose names are set forth in Exhibit A attached hereto and made a part hereof are nationals of a designated enemy country (Japan);

2. Having vested, by said Vesting Order No. 241, certain property which was, on October 19, 1942, owned by said nationals;

3. Finding that said nationals are the owners of the articles of personal property appearing in said Exhibit A opposite their respective names;

4. Finding that the property described in said Exhibit A is property within the United States owned or controlled by nationals of a designated enemy country (Japan);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property referred to in subparagraph 4 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for

the benefit, of the United States, and hereby ratifies all acts of any of his employees, agents or representatives by which any of such property was taken into possession of the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this Order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on June 22, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Name of Owner and Property

Tomio Fukushima; 1 Eastman Kodascope medal 80 8 mm with case.
Tagao Kunsaka; Miscellaneous camera accessories.

Kenjiro Masuda; 1 Omag Filter (Yellow).
Shoji Masuda; 1 yellow Filter.
Kazuo Nishi; 1 metal reel case with 12 reels.
Saburo Nishiki; 1 extra Foth-dorby lens.
Ryaso Sasaki; 1 Tempiphot exposure meter.
Kenroku Yoshiwara; 2 yellow filters.

[F. R. Doc. 44-9286; Filed, June 26, 1944;
10:48 a. m.]

[Supplemental Vesting Order 3851]

LINGNER CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found in Vesting Order Number 24, dated June 16, 1942, that of the issued and outstanding capital stock of Lingner Corporation, a corporation organized under the laws of the State of Delaware, consisting of 1,761 shares of no par value common capital stock, 1,630 shares (92.56%) were owned by Lingnerwerke, A. G., Berlin, Germany, and 47 shares (2.67%) were owned by Bank fuer Industrie und Verwaltung, A. G., Berlin, Germany, and having vested said 1,677 shares of stock;

2. Finding that Lingner Corporation, a corporation organized under the laws of the State of Delaware, is a business enterprise within the United States;

3. Finding that Lingnerwerke, A. G., Bank fuer Industrie und Verwaltung, A. G., and Exportkreditbank Aktiengesellschaft, whose principal places of business are located in Berlin, Germany, and "Certain Unknown Enemies" residing in Germany, are nationals of a designated enemy country (Germany);

4. Finding that Lingner Corporation is a national of a designated enemy country (Germany);

5. Finding that of the outstanding no par value common capital stock of Lingner Corporation, 74 shares are registered in the names of and beneficially owned by the following persons in the number appearing opposite each name and are evidence of an interest in said business enterprise:

Registered Owner, Number of Shares and Beneficial Owner

Suydam & Co., 10, Exportkreditbank, A. G., Berlin, Germany.

Richard Horwitz, 6½, N. V. Odol Company, Amsterdam, Holland.

Hallgarten & Co., 32, N. V. Odol Company, Amsterdam, Holland.

Squire & Co., 22½, N. V. Odol Company, Amsterdam, Holland.

Horwitz & Co., 3, "Certain Unknown Enemies".

Total, 74.

6. Finding that N. V. Odol Company, Amsterdam, Holland, is owned and controlled by Lingnerwerke, A. F., of Berlin, Germany; and determining:

7. That N. V. Odol Company, Amsterdam, Holland, is controlled by Lingnerwerke, A. G., of Berlin, Germany, and is a national of a designated enemy country (Germany);

8. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 74 shares of no par value common capital stock of Lingner Corporation, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to said business enterprise, to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed

to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 22, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9287; Filed, June 26, 1944;
10:48 a. m.]

[Vesting Order 1630, Amdt.]

THE BAUER TYPE FOUNDRY, INC.

Vesting Order Number 1630 of June 7, 1943, is hereby amended as follows and not otherwise:

By deleting from subparagraph 9 the following:

All right, title, interest and claim of any name or nature whatsoever of Fundicion Tipografica Neuville, S. A., in and to any and all obligations, contingent or otherwise and whether or not matured, owing to it by The Bauer Type Foundry, Inc., and represented on the latter's books and records as an account payable to Aduanas Pujol-Rubio, including but not limited to all security rights in and to any and all collateral, for any and all such obligations and the right to enforce and collect such obligations,

and substituting therefor:

All right, title, interest and claim of any name or nature whatsoever of Fundicion Tipografica Neuville, S. A., in and to any and all obligations, contingent, or otherwise and whether or not matured, owing to it by The Bauer Type Foundry, Inc., and represented on the latter's books and records as due and owing to Aduanas Pujol-Rubio, including but not limited to all security rights in and to any and all collateral, for any and all such obligations and the right to enforce and collect such obligations.

All other provisions of such Vesting Order Number 1630 and all action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 22, 1944.

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-9288; Filed, June 26, 1944;
10:49 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 20A-71, Amdt. 1]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN ROME, N. Y.,
AREA

Upon consideration of a petition to substitute Catherine Youngs, doing business as Kay's Taxi, 206 West Willett Street, Rome, New York, in lieu of Clayton Edy, 207 N. Washington Street, Rome, New York, as a party to Supplementary Order ODT 20A-71 (9 F.R. 2309), and good cause appearing therefor; *It is hereby ordered, That:*

1. Supplementary Order ODT 20A-71 be, and it is hereby, amended by substituting Catherine Youngs, doing business as Kay's Taxi, in lieu of Clayton Edy, and

2. Catherine Youngs, doing business as Kay's Taxi, on and after the effective date of this amendment, shall perform, subject to the provisions of such order, the functions of Clayton Edy, as described in the plan for joint action effectuated by, and made a part of, that order.

This amendment shall become effective July 1, 1944.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 44-9207; Filed, June 24, 1944;
10:50 a. m.]

[Supp. Order ODT 20A-136]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN HUDSON, N. Y.,
AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Hudson, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies

¹ Filed as part of the original document.

having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Albany, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-136" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Albany 7, New York.

8. This order shall become effective July 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Milton J. Melnick, 222 Taxi Service, Hudson, N. Y.

Stephen Martin, Black Taxi Company, Hudson, N. Y.

[F. R. Doc. 44-9215; Filed, June 24, 1944; 10:52 a. m.]

[Supp. Order ODT 20A-137].

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN TUCSON, ARIZ., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Tucson, Arizona, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Phoenix, Arizona, for authorization to participate in the plan. A copy of each such appli-

¹ Filed as part of the original document.

cation shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-137" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Phoenix, Arizona.

8. This order shall become effective July 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Black & White Taxi Co., 30 N. Scott Street, Tucson, Ariz.

Checker Taxi Co., 30 N. Scott Street, Tucson, Ariz.

Yellow Cab Co., 30 N. Scott Street, Tucson, Ariz.

Murrell Taxi Co., 133 E. Broadway, Tucson, Ariz.

Citizens Red Line Taxi Co., 44 N. 5th Avenue, Tucson, Ariz.

[F. R. Doc. 44-9214; Filed, June 24, 1944; 10:52 a. m.]

[Supp. Order ODT 20A-138]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS, IN NASHUA, N. H., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Nashua, New Hampshire, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the

¹ Filed as part of the original document.

appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Concord, New Hampshire, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-138" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Concord, New Hampshire.

8. This order shall become effective July 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

Wheeler & Nutting, 2 Locke Street,
Nashua, N. H.
Oscar F. Bergeron, Prosper Cab, 19 High
Street, Nashua, N. H.

Vincent Doyle, Prosper Cab, 19 High Street,
Nashua, N. H.
Antoine Deschenes, Prosper Cab, 31 Haynes
Street, Nashua, N. H.
Laurent Perreault, Prosper Cab, 19 High
Street, Nashua, N. H.
Honore D. LeBlanc, Town Cab, 19 High
Street, Nashua, N. H.
Harry LaFlame, Harry's Taxi, 10 High
Street, Nashua, N. H.
Raymond L. House, Hudson Taxi, Ferry
Street, Nashua, N. H.
Richer Transportation Company, Nashua,
N. H.

[F. R. Doc. 44-8213; Filed, June 24, 1944;
10:52 a. m.]

[Supp. Order ODT 20A-139]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN PONTIAC, MICH., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Pontiac, Michigan, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available

¹ Filed as part of the original document.

for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Detroit, Michigan, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-139" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Detroit, Michigan.

8. This order shall become effective July 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

APPENDIX 1

Oakland Cab Company, Pontiac, Mich.
Pontiac Cab Company, Pontiac, Mich.
Peoples Cab Company, Pontiac, Mich.
Nip's Cab Service, Pontiac, Mich.

[F. R. Doc. 44-8212; Filed, June 24, 1944;
10:52 a. m.]

[Supp. Order ODT 20A-140]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN TROY, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Troy, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, ma-

materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Albany, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-140" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Albany, New York.

8. This order shall become effective July 1, 1944, and shall remain in full force and effect until the termination of

the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director, Office of Defense
Transportation.

APPENDIX 1

J. J. Zone, d/b/a Strand Taxi Service, 35 River Street, Troy, N. Y.

Domenick Anicin, d/b/a Strand Taxi Service, 35 River Street, Troy, N. Y.

James F. Gillard, d/b/a Strand Taxi Service, 35 River Street, Troy, N. Y.

Salvatore Petnel, d/b/a Petnel's Taxi Service, 72 College Avenue, Troy, N. Y.

Karl Pendt, Manager, Bragal's Taxi Service, 96-3d Street, Troy, N. Y.

R. L. Sanders, d/b/a Central Taxi Service, 21-4th Street, Troy, N. Y.

Charles S. McCauley, d/b/a Troy Taxi Co., 2 Federal Street, Troy, N. Y.

John Mattelo, d/b/a Troy Union Taxi, Union Station, Troy, N. Y.

Thomas J. Duffy, d/b/a Duffy's Taxi Service, 52-2d Street, Troy, N. Y.

Charles A. Dalton, 53 Collins Avenue, Troy, N. Y.

Peter Drozd, 443-1st Avenue, Troy, N. Y.

Michael J. Amough, d/b/a Troy Union Taxi, Union Station, Troy, N. Y.

Buchanan Auto Renting Co., 50 Union Street, Troy, N. Y.

Thomas A. Myers, 2111 Burdette Avenue, Troy, N. Y.

Paramount Taxi, 147 River Street, Troy, N. Y.

[F. R. Doc. 44-9211; Filed, June 24, 1944; 10:52 a. m.]

[Supp. Order ODT 20A-141]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN OGDENSBURG, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Ogdensburg, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies

¹ Filed as part of the original document.

having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Utica, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-141" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Utica, New York.

8. This order shall become effective July 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Leslie D. Henry, 306 Franklin Street, Ogdensburg, N. Y.

Frank L. Klah, 227 Isabella Street, Ogdensburg, N. Y.

Napoleon Kiah, 216 Madison Avenue, Ogdensburg, N. Y.
 Edward O'Marah, 325 Jefferson Avenue, Ogdensburg, N. Y.
 Peter D. Felow, 19 Commerce Street, Ogdensburg, N. Y.
 Edward Kiah, 207 Main Street, Ogdensburg, N. Y.
 Burton H. Robinson, 825 Main Street, Ogdensburg, N. Y.
 Leslie Russell, 421 New York Avenue, Ogdensburg, N. Y.
 William Tucker, 917 Congress Street, Ogdensburg, N. Y.
 Morris B. Miller, 210 Gilbert Street, Ogdensburg, N. Y.

[F. R. Doc. 44-9210; Filed, June 24, 1944; 10:50 a. m.]

[Supp. Order ODT 20A-142]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN LEBANON, N. H., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Lebanon, New Hampshire, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Concord, New Hampshire, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-142" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Concord, New Hampshire.

8. This order shall become effective July 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
 Director,

Office of Defense Transportation.

APPENDIX 1

Eddie X. Guyer, 7 Guyer Street, Lebanon, N. H.
 Orville Dupuis, 23 Maple Street, Lebanon, N. H.
 John Sausville, 176 Hanover Street, Lebanon, N. H.
 Stephen S. Hamel, 62 Church Street, Lebanon, N. H.
 William H. Clark, 48 Hanover Street, Lebanon, N. H.

[F. R. Doc. 44-9209; Filed, June 24, 1944; 10:50 a. m.]

[Supp. Order ODT 20A-143]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN COLUMBIA, MO., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which

plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Columbia, Missouri, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Highway Transport Department, Office of Defense Transportation, Jefferson City, Missouri, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same

¹ Filed as part of the original document.

manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-143" and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Jefferson City, Missouri.

8. This order shall become effective July 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 24th day of June 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Red Cab Company, Columbia Mo.
Yellow Cab Company, Columbia, Mo.
Checker Cab Company, Columbia, Mo.
Campus Cab Company, Columbia, Mo.

[F. R. Doc. 44-9208; Filed, June 24, 1944;
10:50 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 826]

CARBON MINING CO., INC., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 826 under Maximum Price Regulation No. 120. Bituminous Coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, it is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. Each producer is subject to all provisions makes no particular reference to a mine of Maximum Price Regulation No. 120.

CARBON MINING CO., INC., BOX 463 ASHLAND, KY., CARBON MINE, NO. 7 SEAM, MINE INDEX NO. 1005, BOYD COUNTY, KY., SUB-DIST. 1, RAIL SHIPPING POINT: PRINCESS, KY., F. O. G. 61, DRIFT MINE

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	
Price classification.....	M	M	M	M	K	K	J	G	E	G	F	L	L	L	
Rail shipments and railroad fuel.....	350	350	345	345	345	335	315	310	310	345	295	235	250	230	
Truck shipment*.....	370	350	315	325	310	280	230	225	-----	-----	-----	-----	-----	-----	

*Previously established.

ELMER DIXON COAL CO., BLACKKEY, KY., ELMER DIXON MINE, HAZARD NO. 4 SEAM, MINE INDEX NO. 7023, LETCHER COUNTY, KY., SUB-DIST. 3, RAIL SHIPPING POINTS, BLACKKEY, KY., F. O. G. 100, DRIFT MINE

Price classification.....	M	M	M	M	K	K	J	G	E	G	D	K	IC	K		
Rail shipments and railroad fuel.....	350	350	345	345	345	335	315	310	310	345	300	285	280	230		
Truck shipment.....	370	350	325	325	310	280	235	230	-----	-----	-----	-----	-----	-----		

J. B. ELKHORN COAL CO., ASH CAMP, KY., J. B. ELKHORN COAL CO., MINE LOWER ELKHORN SEAM, MINE INDEX NO. 7134, PIKE COUNTY, KY., SUB-DIST. 1, RAIL SHIPPING POINT: HELLIER AND/OR ELKHORN CITY, KY., STRIP MINE F. O. G. 61 AND/OR 63, RESPECTIVELY

Price classification.....	K	K	K	K	H	H	G	O	O	O	D	G	G	O		
Rail shipments and railroad fuel.....	365	360	350	350	345	335	315	315	315	370	300	295	285	230		
Truck shipment.....	380	360	325	335	320	290	250	215	-----	-----	-----	-----	-----	-----		

KANAWHA COAL CORPORATION, BECKLEY, W. VA., NO. 1 MINE, NO. 2 GAS SEAM, MINE INDEX NO. 7002, KANAWHA COUNTY, W. VA., SUB-DIST. 4, RAIL SHIPPING POINTS: ESKDALE, W. VA., F. O. G. 123, DRIFT MINE

Price classification.....	L	L	L	L	H	H	G	G	E	G	B	H	H	H		
Rail shipments and railroad fuel.....	350	350	345	345	345	335	315	310	310	345	305	295	285	230		
Truck shipment.....	375	355	335	335	310	300	245	210	-----	-----	-----	-----	-----	-----		

KELLEY'S CREEK COLLIERY CO., WESTERN RESERVE BLDG., CLEVELAND, OHIO, NO. 3 MINE, NO. 2 GAS SEAM, MINE INDEX NO. 7027, KANAWHA COUNTY, W. VA., SUB-DIST. 4, RAIL SHIPPING POINT: HUGHSTON, W. VA., F. O. G. 127, DEEP MINE

Price classification.....	N	N	N	N	J	J	H	G	E	G	B	E	E	E		
Rail shipments and railroad fuel.....	350	350	345	345	345	335	315	310	310	345	305	295	280	230		
Truck shipment.....	365	345	335	330	310	300	260	265	-----	-----	-----	-----	-----	-----		

REGINA ELKHORN COAL CO., PRESTONBURG, KY., REGINA ELKHORN MINE, ELKHORN NO. 2 SEAM, MINE INDEX NO. 7135, FLOYD COUNTY, KY., SUB-DIST. 1, RAIL SHIPPING POINT: PRESTONBURG, KY., F. O. G. 61, DRIFT MINE

Price classification.....	H	H	H	H	H	H	G	E	O	E	O	H	H	H		
Rail shipment and railroad fuel.....	380	375	360	360	345	335	315	315	315	370	300	295	285	230		
Truck shipment.....	390	370	330	335	320	295	245	210	-----	-----	-----	-----	-----	-----		

SAMPSON ELKHORN COAL CO., DRIFT, KY., TURNER #7 MINE, ELKHORN #2 SEAM, MINE INDEX NO. 7093, FLOYD COUNTY, KY., SUB-DIST. 1, RAIL SHIPPING POINT: SDG. 4424-KY., F. O. G. 61, DRIFT MINE

	Size group Nos.																
	1	2	3	4	5	6	7	8	9	10	15-16-17	18	19	20-21	22		
Price classification.....	H	H	H	H	H	H	G	E	O	E	O	G	G	G	L		
Rail shipments and railroad fuel.....	380	375	360	360	345	335	315	315	315	370	300	295	285	280	210		
Truck shipment.....	390	370	330	335	320	295	250	245	-----	-----	-----	-----	-----	-----	-----		

PRICE McQUEEN, WANETA, KY., McQUEEN MINE, SAND GAP SEAM, MINE INDEX NO. 7083, JACKSON COUNTY, KY., SUB-DIST. 6, DRIFT MINE

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Truck shipment.....	370	350	325	325	310	290	235	230	-----	-----

This order shall become effective June 24, 1944.

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)

[F. R. Doc. 44-9165; Filed, June 23, 1944;
11:41 a. m.]

[Max. Import Price Reg., Order 21]

J. C. CHAMBERS

ADJUSTMENT OF MAXIMUM PRICES

Order No. 21 under section 21 of the Maximum Import Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Effect of this order.* This order establishes maximum prices at which the importer may sell and maximum prices at which wholesalers and retailers may buy and sell, Toy Brooms, weight 7 lbs. per dozen, full length handle; Special light weight parlor brooms, 9 lbs. per dozen, full length handle; Whisk brooms, made from selected hull corn, three tie, spiral finish; #115—Common—Parlor tin or Wirelock 22 to 24 lb. unpainted handle; #115—Common Parlor tin or Wirelock 22 to 23 lb. painted handle; #701—Common Parlor Velvet & Tin Lock 22 to 24 lbs. unpainted handle; #701 Common Parlor Velvet & Tin Lock 22 to 24 lbs. painted handle; #850—Light Warehouse Velvet & Tin lock 28 lbs. unpainted handle; #850—Light Warehouse Velvet & Tin lock 28 lbs. painted handle; Heavy Duty Warehouse Brooms 3 wire bound 36-38 lbs. unpainted handle, imported from Mexico by J. C. Chambers of Kingsport, Tennessee, hereinafter called the "importer".

(b) *Maximum prices on sales by the importer, wholesalers and retailers.* The importer may not sell, and no wholesaler may buy, the brooms described in Appendix A of this order at prices, on a delivered basis, higher than those set forth in Column II of Appendix A. No wholesaler may sell, and no retailer may pay, prices higher than those set forth in Column III of Appendix A for such brooms. No retailer may sell, and no person may pay, prices higher than those set forth in Column IV of Appendix A for such brooms.

(c) *Reduction of prices.* Whenever the total landed cost to the importer on which the maximum prices are established by this order decrease by 5% or more, he shall immediately notify the Export-Import Price Branch, OPA, Washington, D. C., of the extent of the reduction in cost and the Price Administrator may then establish new maximum prices for these brooms.

(d) *Importer to notify wholesalers.* The importer shall furnish a copy of this order to each wholesaler to whom any such brooms are sold and shall also include on the invoice the following statement:

The enclosed Order No. 21 issued under the Maximum Import Price Regulation by OPA, establishes your maximum selling prices for these brooms.

(f) *Wholesalers to notify retailers.* Any wholesaler who purchases these

brooms from the importer shall furnish a copy of this order to each retailer to whom any such brooms are sold and shall include on the invoice the following statement:

The enclosed Order No. 21 issued under the Maximum Import Price Regulation by OPA, establishes your maximum selling prices for these brooms.

(g) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective on June 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

APPENDIX A

I Type of broom	II Sales by importers to whole- salers	III Sales by whole- salers to retailers	IV Sales by retailers to con- sumers
Toy brooms.....	Per doz. \$4.75	Per doz. \$5.00	Each \$0.42
Special light weight parlor brooms (full length handle).....	5.75	6.00	.43
Whisk brooms.....	4.00	4.00	.40
#115 Common parlor tin or wirelock (unpainted han- dle).....	11.25	12.00	1.40
#115 Common parlor tin or wirelock (painted handle).....	11.75	13.00	1.45
#701 Common parlor velvet & tin lock (unpainted handle).....	12.50	14.35	1.75
#701 Common parlor velvet & tin lock (painted han- dle).....	13.00	14.85	1.85
#850 Light warehouse velvet & tin lock (unpainted handle).....	14.75	17.25	1.85
#850 Light warehouse velvet & tin lock (painted han- dle).....	15.45	17.75	1.95
Heavy duty warehouse brooms 3-wire bound (un- painted).....	18.00	18.00	2.00

[F. R. Doc. 44-9166; Filed, June 23, 1944;
11:41 a. m.]

[MPR 188, Order 1737]

WALLINDER SASH & DOOR CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1737 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of three items of furniture manufactured by Wallinder Sash & Door Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of three items of furniture manufactured by Wallinder Sash & Door Co., Duluth, Minnesota.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the articles from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Adirondack chair.....		Per unit \$2.50	Per unit \$3.50
3-piece juvenile table and chairs set.....		Per set \$3.57	Per set \$4.20
Juvenile picnic table set.....		\$2.72	\$3.25

These prices are f. o. b. factory and are subject to a cash discount of two per cent for payment within ten days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Adirondack chair.....		Per unit \$3.50
3-piece juvenile table and chairs set.....		Per set \$4.20
Juvenile picnic table set.....		3.25

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of June 1944.

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9185; Filed, June 23, 1944;
3:56 p. m.]

[MPR 188, Order 1738]

CHATTANOOGA MATTRESS CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1738 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a living room suite manufactured by Chattanooga Mattress Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a living room suite manufactured by Chattanooga Mattress Company, Chattanooga, Tenn.

(1) (i) For all sales and deliveries by the manufacturer to retailers; and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
3 piece living room suite in F grade cover.....	550	Per unit \$50.53	Per unit \$59.50

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made

until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
3-piece living room suite in F grade cover.....	550	Per unit \$59.50

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of June 1944.

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9186; Filed, June 23, 1944;
3:55 p. m.]

[MPR 188, Order 1739]

WILFRED B. KEENAN

APPROVAL OF MAXIMUM PRICES

Order No. 1739 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a child's play yard manufactured by Wilfred B. Keenan.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a child's play yard manufactured by Wilfred B. Keenan, 31 Milk Street, Boston, Massachusetts.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the

manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's play yard.....	Per unit \$4.03	Per unit \$5.80

These prices are f. o. b. factory and are subject to a cash discount of two per cent.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Child's play yard.....	Per unit \$5.80

This price is subject to a cash discount of two per cent

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of June 1944.

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9187; Filed, June 23, 1944;
3:55 p. m.]

[MPR 188, Order 1740]

JOSEPH A. LONERGAN

APPROVAL OF MAXIMUM PRICES

Order No. 1740 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a child's toilet seat manufactured by Joseph A. Lonergan.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a child's toilet seat manufactured by Joseph A. Lonergan, Alhambra, California.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's toilet seat.....		Per unit \$1.33	Per unit \$1.66

These maximum prices are f. o. b. factory and are subject to a discount of 2% for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Child's toilet seat.....		Per unit \$1.66

This maximum price is subject to a discount of 2% for payment within 10 days, net 30 days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of June 1944.

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9188; Filed, June 23, 1944;
3:56 p. m.]

[MPR 188, Order 1741]

FULTON SALES CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 1741 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a juvenile chair manufactured by Fulton Sales Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of a juvenile chair manufactured by Fulton Sales Corporation, Lancaster, Pa.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile chair.....		Each \$3.49	Each \$4.00

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile chair.....		Each \$4.00

This price is subject to a cash discount of two percent for payment within ten days, net thirty days.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 24th day of June 1944.

Issued this 23d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9189; Filed, June 23, 1944;
3:55 p. m.]

[MPR 120, Amdt. 1 to Order 98]

PENNSYLVANIA COAL & COKE CORP.

ORDER GRANTING ADJUSTMENT

Amendment No. 1 to Order No. 98 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Docket No. 3120-287.

For the reasons set forth in the opinion issued herewith and in accordance with paragraph (c) of Order No. 98 under Maximum Price Regulation No. 120; *It is ordered*, That the said Order No. 98 be amended by deleting subparagraphs (1), (4) and (5) of paragraph (b) thereof.

This amendment shall become effective July 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9228; Filed, June 24, 1944;
11:40 a. m.]

[MPR 188, Order 1744]

C. F. SAWYER

APPROVAL OF MAXIMUM PRICES

Order No. 1744 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two items of swings manufactured by C. F. Sawyer.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered*:

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of certain swings manufactured by C. F. Sawyer, W. Galax, Virginia.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Swing.....	20-42"	Per unit \$3.02	Per unit \$3.55
Swing.....	20-54"	Per unit 3.32	Per unit 3.90

These maximum prices are net f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942, he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Swing.....	20-42"	Per unit \$3.55
Swing.....	20-54"	Per unit 3.90

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of June 1944.

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9230; Filed, June 24, 1944;
11:40 a. m.]

[MPR 188, Order 1745]

WOODWORK SPECIALTY CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1745 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of an unfinished dressing table manufactured by Woodwork Specialty Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered*:

(a) This order establishes maximum prices for sales and deliveries, since the effective date of Maximum Price Regulation No. 188, of an unfinished dressing table manufactured by Woodwork Specialty Co., 1601 North Front Street, Marikato, Minnesota.

(1) (i) For all sales and deliveries by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell the article from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Unfinished dressing table.....	Per unit \$2.03	Per unit \$3.45

These prices are f. o. b. factory.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified in subparagraph (1) (i) of this paragraph (a), the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries to retailers by persons who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Unfinished dressing table.....	Per unit \$3.45

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other

than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by paragraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 26th day of June 1944.

Issued this 24th day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-9231; Filed, June 24, 1944;
11:41 a. m.]

[MPR 120, Order 811]

STEPHEN R. HANSEL, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND
PRICE CLASSIFICATIONS

Correction

In F.R. Doc. 44-8650, appearing at page 6657 of the issue for Friday, June 16, 1944, the following corrections should be made in the tables:

Under Hill Bros. (Coal) the mine index number should be "5109".

Mine index number for the Powell Coal Co. should be "5089".

In the second column under Godin & Saricks the price for truck shipment should be "3.35".

In the first table for Garman Coal Co. the mine name should read: "Garman No. 1 Mine"; the price in the third column for rail shipment should be "\$3.35".

[MPR 120, Order 813]

MULZER MINES, ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND
PRICE CLASSIFICATIONS

Correction

In F.R. Doc. 44-8653, appearing at page 6659 of the issue for Friday, June 16, 1944, the price for truck shipment under column 14 of the table for the Pell Coal Corporation should read "2.30".

Regional and District Office Orders.

[Region VIII Order G-4 Under MPR 188]

ROCK AND SAND, ETC., IN LOS ANGELES
COUNTY, CALIF.

Amendment No. 1 to Order No. G-4 under Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjusted maximum prices for sales by producers in Los Angeles County, California, of rock, sand, gravel, and truck-mixed concrete.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188, it

is hereby ordered, That paragraph (a) be amended to read as follows:

(a) The adjusted maximum price at which producers of rock, sand, gravel, and truck-mixed concrete, located in Los Angeles, California and vicinity may sell and deliver any of said products produced in any plant covered by the wage increases approved on February 22, 1944, by the National War Labor Board-NWLB Cases No. 111-115-AR and No. 111-116-AR, shall be the particular producer's present maximum price for the product, plus 10% of the present net maximum price: *Provided*, That if the resulting price contains a fraction of a cent it shall be further adjusted to the nearest half cent. By "net maximum price" is meant maximum price less all applicable discounts.

This Amendment No. 1 shall become effective June 13, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 19th day of June 1944.

CHARLES R. BARRD,
Acting Regional Administrator.

[F. R. Doc. 44-9176; Filed, June 23, 1944;
12:12 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on June 21, 1944.

REGION II

Trenton Order 3-F, Amendment 5, covering fresh fruits and vegetables in the counties of Mercer, Middlesex and Monmouth, N. J., filed 9:26 a. m.

Trenton Order 4-F, Amendment 1, covering fresh fruits and vegetables in certain areas in New Jersey. Filed 9:25 a. m.

Syracuse Order 23, covering certain food items in the entire counties of Ontario, Wayne, Seneca and Cayuga, N. Y., filed 10:07 a. m.

Pittsburgh Order 1-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:21 a. m.

Maryland Order 1-F, Amendment 11, covering fresh fruits and vegetables in Baltimore, Md., area, filed 9:25 a. m.

Trenton Order 2-F, Amendment 6, covering fresh fruits and vegetables in the counties of Mercer, Middlesex and Monmouth, N. J., filed 12:46 p. m.

REGION III

Charleston Order 1-F, Amendment 30, covering fresh fruits and vegetables in Kanawha County and City of Montgomery, Fayette County, W. Va., filed 9:23 a. m.

Charleston Order 3-F, Amendment 25, covering fresh fruits and vegetables in Brooke, Hancock, Marshall, Ohio, Tyler and Wetzel Counties, W. Va., filed 9:23 a. m.

Charleston Order 12-F, Amendment 2, covering fresh fruits and vegetables in certain counties in West Virginia, filed 12:48 p. m.

Grand Rapids Order F-14-A, Amendment 22, covering fresh fruits and vegetables in the area within the corporate boundaries of the City of Grand Rapids, Mich., filed 9:23 a. m.

Grand Rapids Order F-14-B, Amendment 21, covering fresh fruits and vegetables in the areas within the corporate boundaries of the Cities of Muskegon, Kalamazoo, and Battle Creek, Mich., filed 9:24 a. m.

Grand Rapids Order F-14-B, Amendment 22, covering fresh fruits and vegetables in the areas within the corporate boundaries of the Cities of Muskegon, Kalamazoo, and Battle Creek, Mich., filed 9:23 a. m.

Grand Rapids Order F-14-C, Amendment 7, covering fresh fruits and vegetables in certain counties of Michigan, filed 9:24 a. m.

Grand Rapids Order F-14-D, Amendment 7, covering fresh fruits and vegetables in certain counties of Michigan, filed 9:23 a. m.

Grand Rapids Order F-14-A, Amendment 21, covering fresh fruits and vegetables in the area within the corporate boundaries of the City of Grand Rapids, Mich., filed 9:25 a. m.

REGION IV

Atlanta Order 1-F, Amendment 14, covering fresh fruits and vegetables in Bibb County, Ga., filed 12:47 p. m.

Atlanta Order 4-F, Amendment 5, covering fresh fruits and vegetables in certain counties in the Atlanta, Ga., area, filed 12:46 p. m.

Atlanta Order 5-F, Amendment 11, covering fresh fruits and vegetables in Muscogee County, Ga., Phenix, filed 12:47 p. m.

Atlanta Order 6-F, Amendment 5, covering fresh fruits and vegetables in the Metropolitan Atlanta Decatur Trade area in Georgia, filed 12:46 p. m.

Birmingham Order 1-F, Amendment 10, covering fresh fruits and vegetables in Jefferson County, Ala., filed 12:52 p. m.

Jackson Order 2-F, Amendment 15, covering fresh fruits and vegetables in certain counties in Mississippi, filed 9:25 a. m.

Nashville Order 5-F, Amendment 19, covering fresh fruits and vegetables in Davidson, Hamblen, Hamilton, Knox, Sullivan, and the municipality of Bristol, Va., filed 12:53 p. m.

Nashville Order 13, Amendment 2, covering certain poultry items in certain areas in Virginia, filed 12:57 p. m.

Nashville Order 10-F, Amendment 3, covering fresh fruits and vegetables in all counties in the Nashville District except Davidson, Hamblen, Hamilton, Knox and Sullivan, Tenn., filed 12:53 p. m.

Raleigh Order 11, Amendment 5, covering certain dry grocery items in certain areas in North Carolina. Filed 9:21 a. m.

Raleigh Order 12, covering certain dry grocery items in certain named counties in North Carolina, filed 9:21 a. m.

Roanoke Order 2-W, Amendment 1, covering certain food items in the Roanoke District area, Virginia, filed 12:43 p. m.

Savannah Order 3-F, Amendment 32, covering fresh fruits and vegetables in certain counties in Georgia, filed 12:52 p. m.

Savannah Order 3-W, covering certain dry grocery items in certain counties in the State of Georgia, filed 12:53 p. m.

Savannah Order 4-F, Amendment 31, covering fresh fruits and vegetables in certain counties in the State of Georgia, filed 12:52 p. m.

Savannah Order 5-F, Amendment 12, covering fresh fruits and vegetables in certain counties in the State of Georgia, filed 12:52 p. m.

South Carolina Order 1-F, Amendment 9, covering fresh fruits and vegetables in Columbia, S. C., filed 12:59 p. m.

South Carolina Order 1-F, Amendment 10, covering fresh fruits and vegetables in Columbia, S. C., filed 12:55 p. m.

South Carolina Order 2-F, Amendment 9, covering fresh fruits and vegetables in Charleston, S. C., filed 12:59 p. m.

South Carolina Order 2-F, Amendment 10, covering fresh fruits and vegetables in Charleston, S. C., filed 12:57 p. m.

South Carolina Order 3-F, Amendment 13, covering fresh fruits and vegetables in Greenville and Spartanburg, S. C., filed 12:53 p. m.

South Carolina Order 3-F, Amendment 14, covering fresh fruits and vegetables in Greenville and Spartanburg, S. C., filed 12:55 p. m.

REGION V

Arkansas Order 2-F, Amendment 15, covering fresh fruits and vegetables in Pulaski County, Ark., filed 12:50 p. m.

Arkansas Order 3-F, Amendment 13, covering fresh fruits and vegetables in Craighead County, Ark., filed 12:49 p. m.

Arkansas Order 4-F, Amendment 16, covering fresh fruits and vegetables in Miller County, Ark., filed 12:49 p. m.

Arkansas Order 5-F, Amendment 14, covering fresh fruits and vegetables in Garland County, Ark., filed 12:49 p. m.

Arkansas Order 6-F, Amendment 16, covering fresh fruits and vegetables in Sebastian and Crawford Counties, Ark., filed 12:49 p. m.

Arkansas Order G-17, Amendment 1, covering certain dry grocery items and certain items of perishables in the State of Arkansas, filed 10:08 a. m.

Arkansas Order G-18, Amendment 1, covering certain dry grocery items and certain items of perishables in certain areas in Arkansas, filed 10:08 a. m.

Arkansas Order G-19, Amendment 1, covering certain dry grocery items and certain items of perishables in certain areas in Arkansas, filed 10:08 a. m.

Dallas Order 1-F, Amendment 20, covering fresh fruits and vegetables in the County of Dallas, Tex., filed 2:38 p. m.

Fort Worth Order 1-F, Amendment 21, covering fresh fruits and vegetables in Tarrant County, Tex., filed 12:53 p. m.

Kansas City Order 2-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Missouri, filed 2:14 p. m.

Kansas City Order G-17, Amendment 1, covering certain poultry items in certain areas in Missouri, filed 2:13 p. m.

Kansas City Order G-18, Amendment 1, covering certain poultry items in certain areas in Missouri, filed 2:12 p. m.

San Antonio Order 2-W, Amendment 1, covering certain food items in certain areas in Texas, filed 12:55 p. m.

San Antonio Order G-11, Amendment 2, covering certain food items in certain counties in Texas, filed 12:55 p. m.

Shreveport Order 2-F, Amendment 18, covering fresh fruits and vegetables in Shreveport, Bossier City, Monroe and West Monroe, La., filed 9:20 a. m.

Shreveport Order 3-F, Amendment 6, covering fresh fruits and vegetables in certain parishes in Louisiana, filed 10:07 a. m.

Shreveport Order 3-F, Amendment 7, covering fresh fruits and vegetables in certain parishes in Louisiana, filed 9:20 a. m.

REGION VI

Duluth-Superior Order 1-F, Amendment 21, covering fresh fruits and vegetables in Duluth, Proctor, City of Superior and Town of Superior, filed 2:15 p. m.

Duluth-Superior Order 10, Amendment 3, covering community food prices in certain areas in Minnesota and Wisconsin, filed 2:02 p. m.

Duluth-Superior Order 11, Amendment 3, covering community food prices in certain counties in Minnesota and Wisconsin, filed 2:03 p. m.

Green Bay Order 2-F, Amendment 18, covering community fresh fruit and vegetable prices in certain areas in Wisconsin, filed 2:04 p. m.

Green Bay Order 3-F, Amendment 13, covering fresh fruits and vegetables in certain named areas of Wisconsin, filed 2:04 p. m.

La Crosse Order 8, Revocation, covering community food prices in La Crosse, Monroe & Vernon, Wis. and Houston, Minn., filed 2:09 p. m.

La Crosse Order 10, Revocation, covering community food prices in certain counties in Wisconsin and Minnesota, filed 2:09 p. m.

La Crosse Order 11, Revocation, covering community food prices in certain counties in Wisconsin, filed 2:09 p. m.

La Crosse Order 12, covering community food prices in certain counties in Wisconsin, filed 2:11 p. m.

La Crosse Order 13, covering community food prices for dry groceries in Fillmore, Houston, Olmsted, Wabasha, and Winona, Minn., filed 2:10 p. m.

Moline Order 2-F, Amendment 15, covering fresh fruits and vegetables in certain areas in Illinois and Iowa, filed 12:50 p. m.

Moline Order 4-F, Amendment 3, covering fresh fruits and vegetables in certain named counties in Illinois, filed 12:51 p. m.

Omaha Order 3-W, covering dry groceries in Omaha, Nebraska and Council Bluffs, Iowa, filed 10:07 a. m.

Sioux City Order 2-F, Amendment 19, covering fresh fruits and vegetables in Sioux City, Iowa and Sioux City, Nebr., filed 2:14 p. m.

Peoria Order 3, Amendment 10, covering community food prices in certain areas in Illinois, filed 2:17 p. m.

Peoria Order 5, Amendment 8, covering community food prices in certain counties in Illinois, filed 2:16 p. m.

Peoria Order 6, Revocation, covering community food prices in certain named areas, in Illinois, filed 2:08 p. m.

Peoria Order 7, Revocation, covering community food prices in certain counties in Illinois, filed 2:05 p. m.

Peoria Order 8, Revocation, covering community food prices in certain areas in Illinois, filed 2:05 p. m.

Peoria Order 9, Revocation, covering community food prices in LaSalle, Bureau and Putnam in Illinois, filed 2:06 p. m.

Peoria Order 13, covering community food prices in Knox, Warren, McDonough, Fulton, Mason, LaSalle, Bureau and Putnam Counties, Ill., filed 2:07 p. m.

Peoria Order 14, covering community food prices in certain areas in Illinois, filed 2:12 p. m.

Quad-Cities Order 32, covering community food prices of dry groceries and perishables in Scott County, Iowa and Rock Island County, Ill., filed 2:19 p. m.

Quad-Cities Order 33, covering community prices for dry groceries and certain perishables in Muscatine, Cedar, Jones, Jackson and Clinton, Iowa, filed 2:18 p. m.

Quad-Cities Order 34, covering community prices for dry groceries and certain perishables in Dubuque County, Iowa and Jo Daviess, Carroll and Whiteside Counties, Ill., filed 2:20 p. m.

Quad-Cities Order 35, covering community food prices of dry groceries and certain perishables in certain counties in Illinois, filed 2:21 p. m.

Quad-Cities Order 36, covering community food prices of dry groceries and certain perishables in Mercer and Henry Counties in Illinois, filed 2:21 p. m.

REGION VII

Wyoming Order 1-W, Amendment 1, covering wholesale community food prices in Cheyenne, Wyoming Area, filed 2:29 p. m.

Wyoming Order 1-F, Amendment 5, covering fresh fruits and vegetables in the Cheyenne, Wyoming Area, filed 10:06 a. m.

Wyoming Order 2-W, Amendment 1, covering community food prices at wholesale in Casper, Wyoming Area, filed 9:22 a. m.

Wyoming Order 2-F, Amendment 3, covering fresh fruits and vegetables in the Laramie Area, filed 10:06 a. m.

Wyoming Order 3-F, Amendment 2, covering fresh fruits and vegetables in the Casper Area, filed 10:06 a. m.

Wyoming Order 4-F, Amendment 2, covering fresh fruits and vegetables in the Sheridan Area, filed 10:06 a. m.

Wyoming Order 5-F, Amendment 1, covering fresh fruits and vegetables in the Rock Springs Area, filed 10:05 a. m.

Wyoming Order 6-W, Amendment 1, covering wholesale food prices in the Sheridan, Wyoming Area, filed 2:30 p. m.

Wyoming Order 30, Amendment 1, covering retail community food prices in the Greybull, Wyoming Area, filed 10:06 a. m.

Utah Order 1-B, covering retail food prices in various areas in Utah and Arizona, filed 12:53 p. m.

REGION VIII

Fresno Order 1-F, Amendment 21, covering fresh fruits and vegetables in Fresno, Calif., filed 2:37 p. m.

Fresno Order 3-F, Amendment 3, covering fresh fruits and vegetables in named areas in Calif., filed 10:10 a. m.

Fresno Order 3-F, Amendment 4, covering fresh fruits and vegetables in named areas in Calif., filed 2:37 p. m.

Fresno Order 4-F, covering fresh fruits and vegetables in certain named areas in Calif., filed 2:36 p. m.

Fresno Order 5-F, covering fresh fruits and vegetables in certain named areas in California, filed 2:36 p. m.

Los Angeles Order L. A.-5 Amendment 17, covering poultry in the Los Angeles Metropolitan Area, filed 2:23 p. m.

San Diego Order 1-F, Amendment 42, covering fresh fruits and vegetables in San Diego, Calif., filed 2:35 p. m.

San Diego Order 2-F, Amendment 1, covering fresh fruits and vegetables in certain areas in California, filed 2:35 p. m.

San Diego Order 8, Amendment 1, covering certain food items in a certain named area in California, filed 10:09 a. m.

San Diego Order 9, Amendment 1, covering certain food items in a certain named area in California, filed 10:08 a. m.

Phoenix Order 1-W, Amendment 2, covering dry groceries in the "Phoenix Area", filed 2:41 p. m.

Phoenix Order 4-F, Amendment 11, covering fresh fruits and vegetables in the Tucson Area, filed 10:05 a. m.

Phoenix Order 4-F, Amendment 12, covering fresh fruits and vegetables in the Tucson Area, filed 10:05 a. m.

Spokane Order 1-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Spokane County, Wash., filed 9:20 a. m.

Spokane Order 2-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Kootenai County, Idaho, filed 9:20 a. m.

Spokane Order 15, Amendment 2, covering all community food prices in certain areas of Columbia and Walla Walla Counties, Wash., filed 10:10 a. m.

Spokane Order 16, Amendment 2, covering community food items in certain areas in Asotin County, Wash., and Nez Perce County, Idaho, filed 10:09 a. m.

Spokane Order 18, Amendment 3, covering community food prices in certain areas of Shoshone and Kootenai Counties, Idaho, filed 10:09 a. m.

Seattle Adopting Order 9, covering retail community food prices in the Seattle Area, filed 2:26 p. m.

Seattle Adopting Order 10, covering retail community food prices in the Tacoma Area, filed 2:25 p. m.

Seattle Adopting Order 11, covering retail community food prices in the Everett Area, filed 2:25 p. m.

Seattle Adopting Order 12, covering retail community food prices in the Bremerton Area, filed 2:24 p. m.

Seattle Adopting Order 13, covering retail community food prices in the Bellingham Area, filed 2:23 p. m.

Seattle Adopting Order 14, covering retail community food prices in the Olympia Area, filed 9:22 a. m.

Seattle Adopting Order 15, covering retail community food prices in the Aberdeen-Hoquiam Area, filed 9:21 a. m.

Seattle Adopting Order 16, covering retail community food prices in the Centralia-Chehalis Area, filed 2:28 p. m.

Seattle Adopting Order 17, covering retail community food prices in the Wenatchee Area, filed 2:27 p. m.

Seattle Adopting Order 18, covering retail community food prices in the Yakima Area, filed 2:27 p. m.

San Francisco Order 1-F, Amendment 18, covering fresh fruits and vegetables in the San Francisco District, filed 2:34 p. m.

San Francisco Order 2-F, Amendment 11, covering fresh fruits and vegetables in San Jose, Santa Clara, Mayfair, Berryessa, and Burbank, filed 2:34 p. m.

Sacramento Order 1-W, Amendment 2, covering wholesale community food prices in the Stockton Market Area, filed 2:39 p. m.

Sacramento Order 2-W, Amendment 2, covering wholesale community food prices in the Sacramento Market Area, filed 2:40 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-9298; Filed, June 26, 1944;
11:46 a. m.]

RAILROAD RETIREMENT BOARD.

[Jurisdictional Docket 27]

THE SHIPLEY COMPANY

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the status under the Railroad Unemployment Insurance Act of the Shipley Company and of the individuals rendering service under contracts between the Shipley Company and the Chicago, St. Paul, Minneapolis and Omaha Railway Company.

Notice is hereby given that pursuant to the authority vested in the General Counsel by Part 319 of the regulations under the Railroad Unemployment Insurance Act (7 F.R. 4774) the hearing in the above-entitled matter, scheduled to be held on June 22, 1944, at 10 a. m., in the hearing room of the Railroad Retirement Board, 844 Rush Street, Chicago, Illinois (9 F.R. 6289) and postponed, will be held on Tuesday, July 18, 1944, at 10:00 a. m., in the hearing room of the Railroad Retirement Board, 844 Rush Street, Chicago, Illinois.

(45 U.S.C. 351-367)

Dated: June 21, 1944.

[SEAL] JOSEPH H. FREEHILL,
General Counsel.

[F. R. Doc. 44-9271; Filed, June 26, 1944;
10:13 a. m.]

No. 127—11

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-53, 54-83]

CITIES SERVICE CO., ET AL.

NOTICE AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of June, A. D. 1944.

In the matter of Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Central Arkansas Public Service Corporation, Public Service Company of Colorado, The Ohio Public Service Company, The Toledo Edison Company, and The Empire District Electric Company, respondents, File No. 59-53; Cities Service Power & Light Company, File No. 54-88.

The Commission having provided in its order of March 14, 1944 herein that Cities Service Company and Cities Service Power & Light Company shall make appropriate provisions to ensure that the debentures and shares of preferred stock of Cities Service Power & Light Company which were held directly or indirectly on March 13, 1944, by or for any officer or director of Cities Service Company or of Cities Service Power & Light Company and which had been acquired since February 24, 1938, shall be surrendered by such officers and directors under the Plan as amended, that the cash paid in respect of such debentures and shares of preferred stock shall be held in a special fund by Cities Service Power & Light Company and that such cash shall be subject to such disposition as may be determined by the Commission to be appropriate; and

It appearing appropriate in the public interest and in the interests of investors and consumers that the hearing herein be reconvened for the purpose of taking evidence with respect to appropriate disposition of such cash.

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be reconvened on June 26, 1944, at 2:00 p. m., e. v. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in room 318 will advise as to the room in which such hearing will be held;

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the reconvened hearings herein. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by the above provisions of our order of March 14, 1944, particular attention will

be directed at such hearing to the following matters:

(1) Action taken by Cities Service Company and Cities Service Power & Light Company with respect to the debentures and shares of preferred stock of Cities Service Power & Light Company which were held directly or indirectly on March 13, 1944, by or for any officer or director of Cities Service Company or of Cities Service Power & Light Company and which had been acquired since February 24, 1938.

(2) Purchases and sales of debentures and shares of preferred stock of Cities Service Power & Light Company by officers and directors of Cities Service Company and Cities Service Power & Light Company from February 24, 1938, to March 13, 1944, inclusive.

(3) Formation and drafting of, and negotiations concerning plans for compliance by Cities Service Power & Light Company with section 11 of the act.

(4) Dividend payments by Cities Service Power & Light Company on its preferred stock.

It is further ordered, That notice of said reconvened hearing is hereby given to Cities Service Company, Cities Service Power & Light Company, their respective officers and directors and all interested persons; said notice to be given to Cities Service Company, Cities Service Power & Light Company and their respective officers and directors by registered mail, addressed to Cities Service Company and Cities Service Power & Light Company, and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by a general release of this Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

It is further ordered, That Cities Service Company and Cities Service Power & Light Company shall give additional notice of said hearing to each of their respective officers and directors by or for whom any debentures or shares of preferred stock of Cities Service Power & Light Company, which had been acquired since February 24, 1938, were held directly or indirectly on March 13, 1944.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-9242; Filed, June 24, 1944;
2:52 p. m.]

[File No. 70-304]

SCRANTON-SPRING BROOK WATER SERVICE Co.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of June, A. D. 1944.

Scranton-Spring Brook Water Service Company, a subsidiary of Federal Water and Gas Corporation, a registered holding company, having filed an application and a declaration pursuant to the Public Utility Holding Company Act of 1935 and the general rules and regulations promulgated thereunder, regarding the proposed purchase in the open market from time to time but prior to December 31, 1944, of all or any part of a maximum of \$600,000 principal amount of its First Mortgage and Refunding 5% Gold Bonds, Series A, due August 1, 1967, and Series B, due August 1, 1961, for cash at prices not in excess of the call price in effect at the date of purchase; and

Said application and declaration having been filed on June 3, 1944 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for a hearing with respect to said application and declaration within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the statutory requirements under sections 10 and 12 of said Act are satisfied and that no adverse findings are necessary thereunder and deeming it appropriate in the public interest an in the interest of investors and consumers to grant said application and to permit said declaration to become effective:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid application be and hereby is granted forthwith and that the aforesaid declaration be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-9243; Filed, June 24, 1944;
2:52 p. m.]

[File No. 811-177]

INVESTMENT COUNSEL INVESTMENT FUND, Inc.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia 3, Pa., on the 23d day of June, A. D., 1944.

An application having been filed by Investment Counsel Investment Fund, Inc. pursuant to section 8 (f) of the Investment Company Act of 1940 for an order declaring that the applicant has ceased to be an investment company within the meaning of said Act;

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on July 3, 1944 at 10:00 a. m., Eastern War Time, in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania;

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing.

The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-9244; Filed, June 24, 1944;
2:52 p. m.]

[File No. 70-900]

NORTHERN STATES POWER CO. (DEL.) AND NORTHERN STATES POWER CO. (MINN.)

ORDER PERMITTING JOINT DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of June 1944.

Northern States Power Company (Delaware), a registered holding company, and its subsidiary, Northern States Power Company (Minnesota), also a registered holding company, having filed a joint declaration pursuant to section 12 (b) of the Public Utility Holding Company Act of 1935 and Rule U-45 of the general rules and regulations promulgated thereunder, regarding a proposal to continue the postponement of the payment of \$806,517.09, the balance of the installments on the principal of the open account indebtedness (now in the amount of \$7,530,852.08) owing by Northern States Power Company (Delaware) to Northern States Power Company (Minnesota) until December 31, 1944, because a plan, as amended, filed by Northern States Power Company (Delaware) pursuant to section 11 (e) of said act for its liquidation and dissolution, the proceedings on which are still pending, provides for the disposition of said indebtedness primarily by the surrender by Northern States Power Company (Minnesota) of 481,111 shares of the common stock of the last mentioned company (all of which is owned by Northern States Power Company (Delaware) and for a distribution of the remaining shares of the common stock of Northern States Power Company (Minnesota) among the stockholders of Northern States Power Company (Delaware), and because a reduction in the indebtedness would necessitate an alteration in the allocations proposed by the plan and serve no useful purpose; Northern States Power Company (Minnesota) agrees that, pending the consummation of the plan, as amended, and until December 31, 1944, or the date of such consummation (whichever shall be earlier), it will continue to segregate on its books \$806,517.09 of its earned surplus as not being available for the declaration of dividends on its common stock; declarants further request that Northern States Power Company (Minnesota) be permitted to waive all interest due on

said indebtedness for the period from June 30, 1944 to December 31, 1944;

Said joint declaration having been duly filed on May 25, 1944, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said act and the Commission not having received a request for hearing with respect to said declaration within the period specified within such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that all applicable statutory requirements are met and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and to the agreement with respect to earned surplus set forth in said joint declaration, that said declaration be and the same is hereby permitted to become effective forthwith: *Provided, however*, That nothing contained in this order shall be construed as constituting a determination by us of the propriety of the disposition of the open account indebtedness as proposed in the aforementioned plan.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-9257; Filed, June 26, 1944;
10:13 a. m.]

[File No. 70-908]

CITIES SERVICE POWER & LIGHT CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of June, A. D. 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Cities Service Power & Light Company (Power & Light), a registered holding company. All interested persons are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Power & Light proposes to sell to Missouri Public Service Corporation, a Delaware corporation (Missouri), all of the common stock of its public utility subsidiary City Light & Traction Company (City Light), to wit, 10,000 shares of common stock of the par value of \$100 per share.

The purchase price for said common stock is \$1,257,000. Power & Light is also entitled to receive

(a) The sum of \$4,400 per month (either as a dividend or as an adjustment on the purchase price) from March 31, 1944, up to and including the Closing Date, and

(b) All accrued and unpaid interest up to the Closing Date on two 6% Demand Promissory Notes of City Light which are payable to Power & Light and are dated respectively December 31, 1936 and December 27, 1937 in the respective principal amounts of \$1,231,587.52 and \$26,000.

The purchase price is payable in cash on the closing date which is specified to be on or before October 1, 1944, provided that appropriate orders are obtained by Power & Light from the Securities and Exchange Commission and by Missouri from the Public Service Commission of Missouri on or before August 1, 1944. Power & Light has agreed with Missouri that on the closing date it will make a contribution of capital to City Light by surrendering the above described Notes to City Light for cancellation.

The net proceeds from the sale of said stock will be applied to the prepayment of Power & Light's Bank Loan Notes in accordance with the terms thereof as required by Power & Light Custodian Agreement dated March 15, 1944, with The Chase National Bank of the City of New York heretofore executed and delivered pursuant to order of the Commission dated March 14, 1944.

The Commission is requested to issue an appropriate order and findings in connection with the proposed transactions hereinabove described, conforming to the requirements of sections 371 and 1808 of the Internal Revenue Code.

City Light proposes to acquire its said notes by donation from Power & Light as aforesaid and to cancel and retire the same.

Power & Light has also requested that the Commission issue its order exempting the sale of the City Light stock from the competitive bidding requirements of Rule U-50 under the Holding Company Act pursuant to paragraph (a) (5) thereof.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters, that said declaration shall not become effective nor said application be granted except pursuant to further order of this Commission.

It is ordered, That a hearing on said matters under the applicable provisions of said act and rules of the Commission thereunder be held on July 17, 1944 at 10:00 A. M. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. On such day the hearing room clerk will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such declaration shall become effective or why such application shall be granted. Notice is hereby given of said hearing to the above-named declarant or applicant and to all interested persons, said notice to be given to said declarant or applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER. Any persons desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission on or before July 5, 1944 his request or application therefor as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in

such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commissioner's rules of practice.

It is further ordered, That without limiting the scope of issuance presented by said declaration or application otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed transactions meet the requirements of section 12 (d) of the act and applicable rules thereunder.

2. Whether the proposed sale should be exempted from the competitive bidding requirements of Rule U-50.

3. Whether the proposed transactions are fair and equitable to the persons interested and are necessary to effectuate the provisions of section 11 (b).

4. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the Act and the rules thereunder and, if not, what modifications should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-9258; Filed, June 26, 1944;
10:13 a. m.]

CINCINNATI STOCK EXCHANGE

ORDER PERMITTING PLAN TO BECOME EFFECTIVE

Declaration of effectiveness of plan of Cincinnati Stock Exchange, pursuant to Rule X-10B-2 (d) (§ 240.10B-2 (d)).

The Cincinnati Stock Exchange, pursuant to Rule X-10B-2 (d), having filed on June 12, 1944, a plan for special offerings contained in sections 39 through 45 of the trading rules of the Cincinnati Stock Exchange; and

The Securities and Exchange Commission, having given due consideration to the terms of such plan, and having due regard for the public interest and for the protection of investors, pursuant to the Securities Exchange Act of 1934, particularly sections 10 (b) and 23 (a) thereof and Rule X-10B-2 (d) thereunder, hereby declares such plan to be effective, on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of said plan by sending at least ten days' written notice to the Exchange.

Effective June 26, 1944.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-9256; Filed, June 26, 1944;
10:13 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4433, 4438, 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 411, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following approval of equipment is prescribed:

FEEDWATER REGULATOR

Copes Type "P" (Thermostat) boiler feed-water regulator (Dwgs. Nos. 23242-XL-1, 23187-L, 23188-S, 23188-L, 23240-NKL-2, and 23241-XL-2), manufactured by Northern Equipment Company, Erie, Pennsylvania.

FIRING ATTACHMENT

Firing attachment for Lyle gun (Dwg. F-100, dated 15 March, 1944), submitted by the Naval Company, 3419 Richmond Street, Philadelphia, Pa.

LIFE PRESERVER LIGHT

Life preserver light, Model No. 2 (Dwg. C-0004, revised 6-16-44), submitted by William M. Lennan, Inc., 2654 Fletcher Drive, Los Angeles 26, California.

PORTABLE ELECTRIC MEGAPHONE

Portable electric megaphone unit (Dwgs. H-21, dated 8-25-43; D-31, dated 4-19-44; and ES-36, dated 3-9-44), submitted by the Powers Electronic and Communication Company, Glen Cove, New York.

SEA ANCHOR

Sea anchor, Type 2-A (U. S. Coast Guard Dwg. No. MMH-562 and specification dated 1 November, 1943), submitted by Eveready Canvas Corp., New York, N. Y.

L. T. CHALKER,
Rear Admiral, USCG,
Acting Commandant.

JUNE 24, 1944.

[F. R. Doc. 44-9255; Filed, June 26, 1944;
9:22 a. m.]

WAR FOOD ADMINISTRATION.

REQUISITIONING OF PROPERTY

DELEGATION OF AUTHORITY

By virtue of the authority vested in me by delegation of authority from the Director of Distribution dated August 12, 1943 (8 F.R. 11419), I hereby delegate to Sidney N. Gubin, Office of the Director, Office of Distribution, all of the authority and power vested in me with respect to the requisitioning of property.

Issued this 22d day of June 1944.

RALEPH W. OLMSTEAD,
Deputy Director,
Office of Distribution.

[F. R. Doc. 44-9293; Filed, June 26, 1944;
11:07 a. m.]

WAR PRODUCTION BOARD.

FRED STRYS

AMENDMENT TO CONSENT ORDER

Fred Stry, a building contractor of Mountain View, New Jersey (P. O. R. F.

D. #1, Little Falls, N. J.), has requested relief, upon the grounds of hardship, from the terms of the Consent order entered into by him with the War Production Board on May 2, 1944, and issued on May 10, 1944, by the War Production Board.

The Regional Compliance Manager, the Regional Attorney, and the Compliance Commissioner have reviewed the case and have concluded that undue hardship would result unless the Consent order were modified.

Wherefore, upon the application of Fred Stry's and upon the agreement of the Regional Compliance Manager, the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

The Consent order herein referred to, issued May 10, 1944, effective May 17, 1944, be, and hereby is, amended by the addition of the following paragraph to be designated as (f):

(f) Fred Stry's shall be permitted to complete the following two contracts which he now has, to wit:

With Bogue Electric Company, 37 Kentucky Avenue, Paterson, New Jersey, for an alteration extension of its plant at a cost of \$17,164 under a contract dated August 14, 1943; and

With the Borough of Fair Lawn, Bergen County, New Jersey for the erection of a pump house at Well #8 on the George Street water field in that borough at a cost of \$4990 under a contract dated April 4, 1944.

Issued this 23d day of June 1944.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-9195; Filed, June 23, 1944;
4:10 p. m.]

[Certificate 151, Amdt. 1]

WAR EMERGENCY TANKERS, INC.

APPROVAL OF TRANSFER OF STOCK

The ATTORNEY GENERAL.

Referring to Certificate No. 151 (7 F.R. 13995) issued pursuant to section 12 of

Public Law No. 603, 77th Congress (56 Stat. 357), on October 7, 1943, I submit herewith a letter from the Administrator of the War Shipping Administration, dated June 15, 1944, advising that the proposal set forth in his letters dated September 24, 1943, and October 4, 1943, and enclosures, is being amended by the transfer of that part of the stock of War Emergency Tankers, Inc., heretofore held by Standard Oil Company of New Jersey, a Delaware corporation, to Standard Oil Company, a New Jersey corporation.

For the purposes of the statute cited, I approve the amendment; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with the proposal as amended is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

JUNE 22, 1944.

[F. R. Doc. 44-9269; Filed, June 26, 1944;
10:20 a. m.]